



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Fourteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17236 of 2017

S.SURESH

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MASARPATTI POLICE STATION,
THOOTHUKUDI DISTRICT
CRIME NO. 62 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.KALAISELVI Advocate

For Respondent : MR.M.MURUGAN, FOR MR.K.ANBARASAN
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

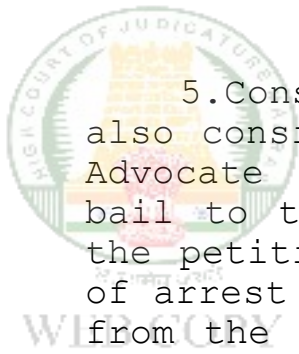
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 384, 307 and 506(ii) of I.P.C., in Crime No.62 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused went to hotel. Since they have not paid the hotel bill, the hotel owner/defacto complainant questioned the same and demanded the money and thereby, the petitioner abused the defacto complainant using filthy language and threatened him. Hence, the law enforcing agency registered a case against the petitioner and other accused.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution. He would further submit that this Court has already been granted bail to A1 and A3.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that no one sustained injuries in the alleged occurrence.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal side), I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Vilathikulam, Thoothukudi District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the Alagappapuram Police Station, Karaikudi, Sivagangai District, daily at 10.30 a.m., for a period of two weeks, and thereafter, as and when required for interrogation;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) the petitioner shall not commit any offence while on bail;

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/trial Court is entitled to take appropriate action against the petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
14/12/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



mrn
TO

1 THE JUDICIAL MAGISTRATE NO.I, VILATHIKULAM
THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF POLICE, MASARPATTI POLICE STATION,
THOOTHUKUDI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE INSPECTOR OF POLICE
ALAGAPPAPURAM POLICE STATION, KARAIKUDI, SIVAGANGAI DISTRICT

+1. CC to M/S.T.KALAISELVI Advocate SR.No.36241

GJM/PM/PN/SAR-4-22.12.2017-3P-7C

ORDER

IN

CRL OP(MD) No.17236 of 2017

Date :14/12/2017