



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

Friday, the Twenty Second day of December Two Thousand Seventeen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL OP(MD) No.17768 of 2017

E.MARIAPPAN

... PETITIONER / ACCUSED

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
ACHANPUDUR POLICE STATION,  
TIRUNELVELI DISTRICT,  
CRIME NO.136 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.J.KARTHICK, Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

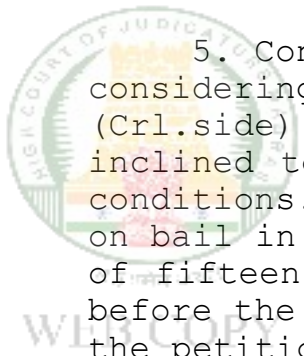
ORDER : The Court Made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324, 307 and 506(ii) of IPC, in Crime No.136 of 2016, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner married the daughter of the defacto complainant. After marriage the petitioner used to torture the defacto complainant's daughter regularly in a drunken mood. Hence, the petitioner's wife refused to live with him and went out of his matrimonial home and residing in her parental home. On 03.08.2016, due to this family dispute, the petitioner abused and assaulted the defacto complainant and his son with Aruval. Based on the complaint, a case has been filed for the above said offence.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail. He further submitted that though the case was registered in the year 2016, no action was taken by the respondent police so far, hence the petitioner did not file anticipatory bail petition in time. However, there is a threat mounting against the petitioner with regard to the arrest. Hence, this petition.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the injured has been discharged from the hospital and the investigation is still pending.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that the injured discharged from the hospital, 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, Sengottah, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each 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 investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks and thereafter as and when required;

(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 commit any offence while on bail;

(v) 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/-  
22/12/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SENGOTTAH.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE INSPECTOR OF POLICE  
ACHANPUDUR POLICE STATION, TIRUNELVELI DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.J.KARTHICK Advocate SR.No.37059

ORDER IN  
CRL OP (MD) No.17768 of 2017  
Date : 22/12/2017