



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

Tuesday, the Eleventh day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.4226 of 2017

A.THILLAIRAJ

... PETITIONER/ACCUSED NO.I

Vs

STATE THROUGH  
THE INSPECTOR OF POLICE,  
RADHAPURAM POLICE STATION,  
TIRUNELVELI DISTRICT.  
CRIME NO.30 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MALAIKANI Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

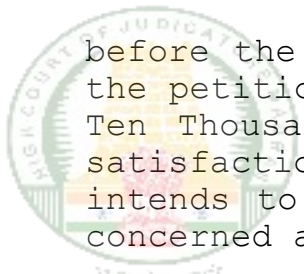
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323 and 506(i) IPC and section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No. 30 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the petitioner are son and father and due to property dispute, wordy quarrel arose and the petitioner attacked the defacto complainant with wooden log and caused injury.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that totally there are two accused and the petitioner is arrayed as A1 in this case. She also submitted that injured person has been discharged from the hospital and investigation is still pending.

5.Considering the facts and circumstances of the case and considering the fact that injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready,



before the learned Judicial Magistrate Valliyoor, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

[b]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioner shall not abscond either during investigation or trial.

[d]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 as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560)**.

sd/-  
11/04/2017

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

TO

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

+1. CC to M/S.S.MALAIKANI Advocate SR.No.51347

NBJ  
CSL/PM-PN/SAR-IV/19.04.2017 : 2P/6C

ORDER  
IN  
CRL OP(MD) No.4226 of 2017  
Date :11/04/2017