



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

Wednesday, the Seventeenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.5443 of 2017

KARPAGA PRAKASH

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
(CR.NO.178/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.LAKSHMI GOPINATHAN for
M/S.POLAX LEGAL SOLUTIONS Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

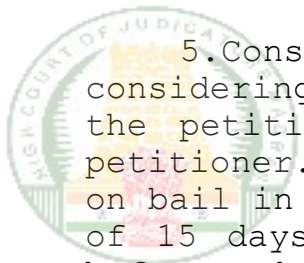
ORDER : The Court Made the following order :-

The petitioner / accused No.4, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 294(b), 323, 307 and 506(ii) IPC in Crime No.178 of 2017, on the file of the respondent Police, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent Police.

3.The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he is innocent and he has been falsely implicated in this case and the accused 1 to 3 in this case were already arrested and released on bail.

4.The learned Government Advocate (Crl.side) submitted that investigation is yet to be completed and hence, he opposed for granting anticipatory bail. He further submitted that the petitioner is having four previous cases.



5.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioner, 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 No.II, Kovilpatti, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) each 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 twice i.e., at 10.30 a.m. and 05.30 p.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/-

17/05/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.POLAX LEGAL SOLUTIONS Advocate SR.No.22389

ORDER

IN

CRL OP(MD) No.5443 of 2017

Date :17/05/2017