



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.5446 of 2017

RAJASEKAR

... PETITIONER/1st ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

THIRUPPUVANAM POLICE STATION,

SIVAGANGAI DISTRICT

(CRIME NO. 148/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.N.SATHIYENDRAN Advocate

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

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

ORDER : The Court Made the following order :-

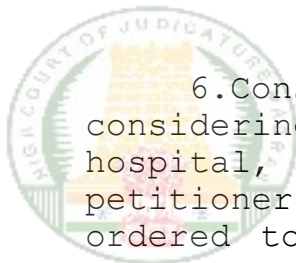
The petitioner, who is arrayed as A1 in Crime No.148 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) IPC and Section 4 of TNPHW ACT and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The case of the prosecution is that due to previous enmity, the petitioner along with other accused is said to have attacked the defacto complainant and others.

4. The learned counsel appearing for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. The co-accused has already been granted anticipatory bail by this Court in Crl.O.P. (MD).Nos.5009, 5220 and 5144 of 2017.

5.The learned Government Advocate(Crl.Side) appearing for the respondent on instructions submitted that injured has been discharged from the hospital. The investigation is pending.



6. Considering the facts and circumstances of the case and considering the fact that the injured was discharged from the hospital, this Court is 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 before the learned Judicial Magistrate, Manamadurai and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
28/04/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MANAMADURAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
 3. THE INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.JAYAKARTHICK, Advocate SR.No.21613

ORDER
IN
CRL OP(MD) No.5446 of 2017
Date :28/04/2017

MS/PM.PN/SAR-4/05.05.2017/2P.6C