



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

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.AUTHINATHAN

CRL OP (MD) No.5636 of 2017

A.SRINIVASAN,

... PETITIONER/SOLE ACCUSED

Vs

THE STATE BY

THE INSPECTOR OF POLICE,
THRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.

IN CRIME NO.173 OF 2017. ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.JEGADEESH PANDIAN Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

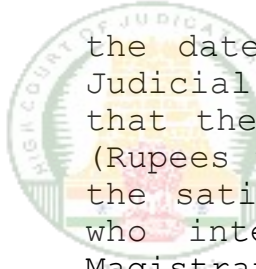
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341,294(b),355, 324 and 506(ii) of IPC in Crime No.173 of 2017 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is working as a Water Tank Operator in Panchayat Board, assaulted the defacto complainant by using slippers and iron stick and also abused him in filthy language.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) would submit that no one has sustained serious injury and the investigation of the case is pending.

5. Having regard to the fact that antecedent of the petitioner is not reported to be bad and no one has sustained injury, 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 fifteen days from



the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruchendur, Thoothukudi District 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 10.00 am for a period of two weeks and thereafter, as and when required for interrogation.

[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/-

04/05/2017

/ TRUE COPY /

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

TRP/VSA

TO

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

GJM/BS.SAR-4-9.5.17-2P-5C

ORDER

IN

CRL OP(MD) No.5636 of 2017

Date :04/05/2017