



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

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mr.Justice N.AUTHINATHAN

CRL OP(MD) No.5647 of 2017

JOHN ALEXANDAR

... PETITIONER / ACCUSED NO:1

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE
CENTRAL POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO.183 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.ANANDAKUMAR 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 :-

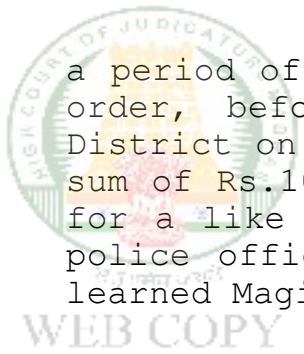
The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(ii) IPC and Section 4 of Women Harassment Act and Section 25(1)(A) of Indian Arms Act, in Crime No.183 of 2017 on the file of the respondent police, seeks anticipatory bail.

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

3.The learned counsel for the petitioner submitted that the petitioner is a District Secretary in a political party and the defacto complainant is a Ward Secretary and due to some political rivalry, the defacto complainant's husband instigated his wife to lodge the present complaint and that, according to the petitioner, nothing had happened as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) would submit that the petitioner has been in possession of a licence to hold a gun and allegation has been made against him that he threatened the defacto complainant.

5.Having regard to the fact that the alleged occurrence had taken place on 01.05.2017 and nothing had happened after the alleged threat and the petitioner is willing to co-operate with the Investigating Agency and the antecedents of the petitioner are not reported to be bad, this Court is 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 No.II, 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 10.30 a.m., 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

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

TO

1 THE JUDICIAL MAGISTRATE NO II
THOOTHUKUDI DISTRICT

2 DO TROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
CENTRAL POLICE STATION, THOOTHUKUDI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.N.ANANDAKUMAR Advocate SR.No.21885

ORDER

IN

CRL OP(MD) No.5647 of 2017

Date :04/05/2017