



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

Thursday, the Eleventh day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP (MD) No.5804 of 2017

VIGNESH,

... PETITIONER / ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
TIRUPPACHETTI POLICE STATION,
SIVAGANGAI DISTRICT.
(CR.NO.104/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.VENKATESAN Advocate

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

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

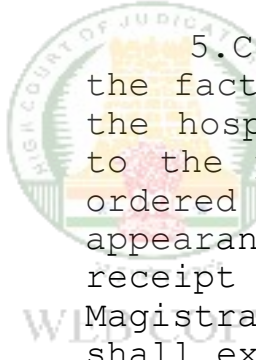
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(ii) of IPC in Crime No.104 of 2017, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner and other accused abused the defacto complainant with filthy language and attacked him.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and prays for anticipatory bail in favour of the petitioner.

4.It is submitted by the learned Government Advocate (Crl.Side) that this petitioner is A2 and the first accused has already been arrested and remanded to judicial custody and there is no previous case against the petitioner. She further submitted that the date of occurrence is 07.05.2017 and the injured was admitted in the hospital on the same day and he has been discharged from the hospital on the very next day i.e., on 08.05.2017.



5. Considering the nature of the offence and also considering the fact that the injured person had already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, he 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, Manamadurai, on condition that of the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

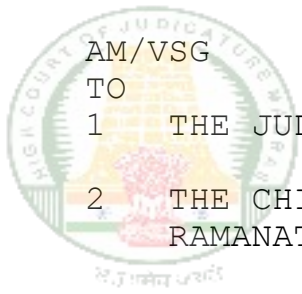
- (i) the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) the petitioner is directed to co-operate with the investigation.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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]**.

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
11/05/2017

/ TRUE COPY /

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



AM/VSG

TO

1 THE JUDICIAL MAGISTRATE, MANAMADURAI

2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
TIRUPPACHETTI POLICE STATION, SIVAGANGAI DISTRICT.

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

+1. CC to M/S.R.VENKATESAN Advocate SR.No.21983

GJM/BS/SAR-3-15.5.17-3P-6C

ORDER

IN

CRL OP(MD) No.5804 of 2017

Date :11/05/2017