



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

Wednesday, the Twenty Eighth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.7302 of 2017

J. KANNADASAN
S. MALAIMUTHAN

... PETITIONER / ACCUSED No.1
... INTERVENER / DE-FACTO COMPLAINANT

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
MELUR POLICE STATION, MELUR,
MADURAI DT,
CRIME NO.580/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.BALAMEENAKSHI Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

For intervener : MR.S.MAHALINGAM Advocate

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.580 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 120(b), 341 and 506(ii) IPC and Section 4 of TNPPDL Act and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner, learned counsel appearing for the intervener/defacto complainant and the learned Additional Public Prosecutor for the respondent/State.

3.The learned counsel for the petitioner submitted that the petitioner along with the other accused is alleged to have pelted stone against the defacto complainant and the same damaged the front glass of the vehicle. He would further submit that due to previous enmity, the petitioner was implicated as accused in this case. The petitioner is innocent. He has not committed any offence as alleged in the complaint. He has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent / Police submitted that the investigation is pending.



5.The learned counsel appearing for the intervener/defacto complainant submitted that there are totally five cases against the petitioner and that he is a habitual offender. By producing a damage report, he has submitted that the damage is worth about Rs.26,000/-.

6.At this juncture, the learned counsel for the petitioner submitted that three cases registered against the petitioner have been ended in acquittal and that three cases have been registered for communal clauses in the village. The petitioner is ready to co-operate with the investigation.

7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with stringent 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, Melur, Madurai District 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 deposit of a sum of Rs.10,000/- to the credit of Crime No.580 of 2017 on the file of the Judicial Magistrate Court, Melur and on further condition that the petitioner shall appear before the respondent police daily twice I.e., at 10.30 a.m. and 5.30 p.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8.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 shall stand automatically dismissed.

sd/-
28/06/2017

/ TRUE COPY /

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

TO

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

- +1. CC to M/S.J.BALAMEENAKSHI Advocate SR.No.25265
+1. CC to M/S.S.MAHALINGAM Advocate SR.No.25481

ORDER IN
CRL OP(MD) No.7302 of 2017
Date :28/06/2017