



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

Friday, the Seventh day of July Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.8562 of 2017

IMRAN,

... PETITIONER / ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.431/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PRABU RAMACHANDRAN Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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 offence punishable under Sections 341, 294 (b), 324 and 506(ii) IPC in Crime No.431 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to a word quarrel arose between the petitioner and the defacto complainant, the petitioner attacked the defacto complainant and caused injury.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case. He also submitted that it is a case of case in counter and the counter case has been given by A1 in Crime No.244 of 2017.

4. The learned Additional Public Prosecutor would submit on instruction that totally there are two accused, and A1 said to have attacked the defacto complainant with wooden log and A2 caught hold him. He also submitted that injured person was discharged from the hospital and investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the fact that injured person was discharged from the hospital, 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Karaikudi, 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 as and when required;

[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/-

07/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.R.PRABU RAMACHANDRAN Advocate SR.No.26065

ORDER

IN

CRL OP(MD) No.8562 of 2017

Date :07/07/2017