



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

Friday, the Fourteenth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8939 of 2017

BANU SHAMEEM

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
TENKASI POLICE STATION,
TIRUNELVEI DISTRICT,
CR.NO.139/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.ATHIMOLAPANDIAN 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 :-

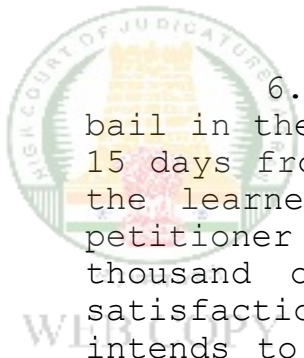
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(ii) of IPC., in Crime No. 139 of 2015, seeks anticipatory bail.

2.The case of the prosecution is that due to the political motive the accused herein was said to have threatened the de facto complainant with dire consequences.

3.The learned counsel appearing for the petitioner stated that the allegations made in the complaint are false. He further submitted that there is a case in counter in Crime No.138 of 2015, also registered on the basis of the complaint given by the petitioner herein and the same is pending and no one sustained injury in this alleged occurrence.

4.The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally two accused in this case and the petitioner herein is arrayed as A1. He further submitted that A2 was granted anticipatory bail by this Court and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that no one sustained injury in this case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



6. 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, Thenkasi, 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 concerned Magistrate 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 Judge himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

14/07/2017

/ TRUE COPY /

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

MSA/VSA

TO

1 THE JUDICIAL MAGISTRATE, THENKASI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
TENKASI POLICE STATION, TIRUNELVEI DISTRICT.

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

+1. CC to M/S.P.ATHIMOLAPANDIAN Advocate SR.No.26591

GJM/CM/MSA/SAR-I-19.7.17-2P-6C

ORDER

IN

CRL OP(MD) No.8939 of 2017

Date :14/07/2017