



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

Tuesday, the Eighteenth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9196 of 2017

S. MUTHURAJ

... PETITIONER / ACCUSED No.1

Vs

The State rep.by
THE INSPECTOR OF POLICE
TIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT,
CR NO. 289/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SANKAR Advocate

For Respondent : Mr.A.Ramar, Additional Public Prosecutor

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

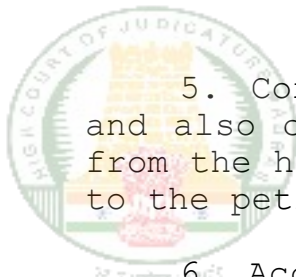
ORDER : The Court Made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 427 and 506(ii) of IPC in Crime No.289 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity in respect of murder of one Muthuraj, the first accused is said to have attacked with stick on his face and on the case of the defacto complainant and caused injury. The remaining accused are also said to have attacked him with hands and caused injury.

3. The learned counsel appearing for the petitioner/A1 states that the petitioner is a college student, studying B.A. Economics in Adithanar College of Arts and Science, Tiruchendur, and he is innocent. He has not committed any offence as alleged in the complaint. Due to previous enmity, the present false complaint has been given by the defacto complainant. He would co-operate with the enquiry.

4. The learned Additional Public Prosecutor appearing for the respondent states that there are five named accused in this case and that the petitioner herein is arrayed as A1 and the others are still absconding. The injured has been discharged from the hospital and the investigation is still pending.



5. Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner / A1, with certain conditions.

6. Accordingly, the petitioner / A1 is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Tiruchendur, 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 the petitioner shall report before respondent Police, as and when required, for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
18/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI
- 3 THE INSPECTOR OF POLICE
TIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1cc to Mr.M.Perumal, Advocate Sr.No.26832

SM:CM-MSA:SAR 4:21.7.2017:2P/6C

ORDER
IN
CRL OP(MD) No.9196 of 2017
Date :18/07/2017