



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

Thursday, the Twenty Seventh day of July Two Thousand Seventeen
PRESENT

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

CRL OP (MD) No.9330 of 2017

KARTHIK

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
TOWN POLICE STATION,
RAMESWARAM,
RAMANATHAPURAM DISTRICT.
CRIME NO.154 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.BALAMURUGAPANDI 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 :-

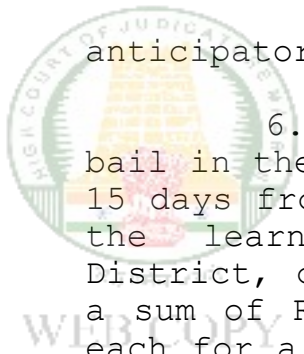
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 506(ii) of I.P.C., and Section 3 of TNPPDL Act, in Crime No. 154 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that there was a dispute in respect of picking up the passenger. A1 is said to have attacked with hand and caused damage to the auto. A2 is said to have abused with filthy language and made threaten with dire consequences against the defacto complainant and the injured was treated as out patient and the investigation is still pending.

3.The learned counsel appearing for the petitioner states that the petitioner is innocent and he was falsely implicated in this case. He has not committed any such offence as alleged by the respondent police.

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 A2. A1 was arrested and released on bail by the concerned Sessions Court. He further submitted that A2 is said to have abused with filthy language and made threaten with dire consequences against the defacto complainant and also beaten him and caused injury, he was treated as out patient and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the facts that the injured was treated as out patient in the hospital and Accused No.1 was released on bail, who is said to have damaged the auto, 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, Rameshwaram, Ramanathapuram District, 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 daily at 10.30 a.m. for a period of three weeks until further orders.

[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/-

27/07/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No.27515
MRN/MSA
CSL/RR-BS/SAR-I/03.08.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.9330 of 2017

Date : 27/07/2017