



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.9626 of 2017

DHARMADURAI

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
AYAKUDI POLICE STATION, DINDIGUL DISTRICT
(CRIME NO. 134 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.VENKATESH Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

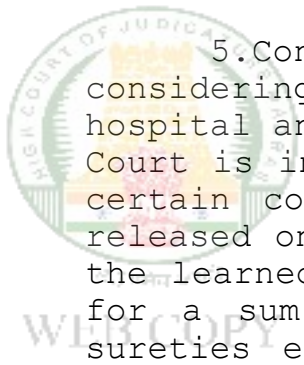
ORDER : The Court Made the following order :-

The petitioner / Accused No.2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(i) of IPC in Crime No.134 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due civil dispute between the de facto complainant and the accused herein, the petitioner is said to have attacked him with stone on the head. On complaint, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further state that the petitioner has also given a counter complaint in Crime No.135 of 2017 before the respondent police.

4.The learned Additional Public Prosecutor appearing for the respondent on instructions submitted that there are totally three accused in this case and the petitioner herein is arrayed as A2 and he is said to have caught hold of the de facto complainant during the occurrence. He would further state that A1 and A3 were already arrested and released on bail and the injured has been discharged from the hospital and the investigation is still pending.



5.Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital and that the co-accused were already released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain 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, Palani 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 further condition that the petitioner shall appear before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation on receipt of summons. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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 stands dismissed.

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

+1. CC to M/S.D.VENKATESH Advocate SR.No.27494

ORDER
IN
CRL OP(MD) No.9626 of 2017
Date :27/07/2017

MKV-CM-MSA-SAR 3/1.8.2017/2P-6C