



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

Wednesday, the Sixteenth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9805 of 2017

MUTHUSAMY ... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ODAIPATTI POLICE STATION,
THENI DISTRICT,
CRIME NO.155 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.JEGADEESH PANDIAN 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 :-

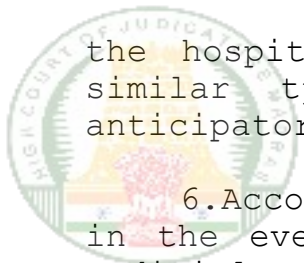
The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324, 506(ii) and 307 of IPC, in Crime No.155 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that due to previous motive, the accused have attacked with Aruval on the head of the de-facto complainant's husband and caused injuries.

3.The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in this case with an ulterior motive.

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 is A1 and A2 is still absconding and the petitioner is having one previous case in Crime No.8 of 2017 under Sections 294(b), 353 and 307 of IPC before the respondent police and investigation is still pending. It is further submitted that the injured has been discharged from the hospital.

5.Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from



the hospital and the petitioner is having one previous case of similar type of offence, 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 before the learned Judicial Magistrate, Uthamapalayam, Theni District 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 stay at Madurai and report before the Judicial Magistrate No.II, Madurai daily at 10.30 a.m until further orders.** 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/-
16/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE JUDICIAL MAGISTRATE NO.II, MADURAI.
- 4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 5 THE INSPECTOR OF POLICE
ODAIPATTI POLICE STATION, THENI DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ER
CSL/PM-PN/SAR-II/22.08.2017 : 2P/7C

ORDER
IN
CRL OP(MD) No.9805 of 2017
Date : 16/08/2017