



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

Monday, the Thirty First day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) No.9857 of 2017

MARI

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY ITS,
THE INSPECTOR OF POLICE
SEEVALAPERI POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO.87 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SELVA 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 :-

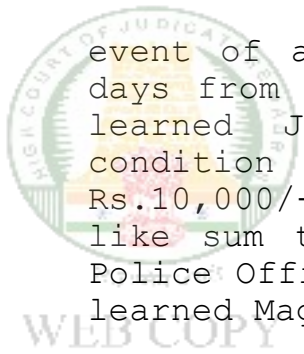
The petitioner, whose rank not known, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) I.P.C., in Crime No.87 of 2017 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner has attacked the defacto complainant by using a stick and threatened him with dire consequences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that the injured has already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the hospital, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Tirunelveli 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court 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 Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

31/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
SEEVALAPERI POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.SELVA Advocate SR.No.27747

MJ/KM

CSL/RR-BS/SAR-I/03.08.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.9857 of 2017

Date :31/07/2017