

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty First day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.12534 of 2018

MALLEESWARAN @ MALLISUMANDHAR [PETITIONER / ACCUSED]

Vs

STATE REP.BY [RESPONDENT]

INSPECTOR OF POLICE,
POLLACHI TOWN POLICE STATION,
COIMBATORE DISTRICT.

***CR.NO.161/2018**

For Petitioner : M/S.M.N.BALAKRISHNAN Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner was granted interim anticipatory bail by order dated 28.04.2018. Though the injured was in the hospital, interim anticipatory bail was granted for the reason that the petitioner was a student in Mahalingam Engineering College and that the petitioner has to attend the exams.

2. The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital and that the arrested accused have been released on bail.

3. Taking into consideration the facts of the case and also the submission made by the counsel on either side, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

4. 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-I, Pollachi, 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) if the petitioner fails to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30.a.m. for a period of one week and thereafter, as and when required for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) 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 has been 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]**.

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

21/06/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

*** CRIME NO. IS AMENDED AS PER ORDER IS CRL.MP.NO.9350/2018 IN
CRL.OP.NO.12534/2018 DATED 16/07/2018**

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, POLLACHI.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
POLLACHI TOWN POLICE STATION,
COIMBATORE DISTRICT.

+1 CC to M/S.M.N.BALAKRISHNAN Advocate on payment of necessary
charges-Sr.11363
SR.No.13097

CRL OP.12534/2018

Date :21/06/2018

ths : 27.06.2018

ths : 27.07.2018