



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

Wednesday, the Thirty First day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.19540 of 2018

K.BALAMURUGAN

... PETITIONERS / ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PULIANGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.398/2017

... RESPONDENT / COMPLAINANT

For Petitioner : MR.G.THALAIMUTHARASU Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

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 offences punishable under Section 147 of I.P.C. and Section 3 of TNPPDL Act, in Crime No.398 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 01.09.2017 when the defacto complainant and his party were proceeding to the memorial of Freedom Fighter Poolithevan situated at Netkattum Sevel on the eve of his birthday, there was a wordy quattel arose between the petitioner's party men and the defacto complainant's men as their vehicles were caused hindrance to the defacto complainant and thereafter, the petitioner and his men damaged the defacto complainant's car which was parked in the place as allotted by the place. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that already in this case, A1 has been released on bail.



4.The learned Government Advocate (criminal side) would submit that the investigation is pending.

5.Taking note of the facts and circumstances, 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, Sivagiri and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, as and when required for interrogation. The petitioner shall comply with the conditions 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 shall stand dismissed.

sd/-
31/10/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
SIVAGIRI.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, THIRUNELVELI.

3 THE INSPECTOR OF POLICE,
PULIANGUDI POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No. 20832

ORDER
IN
CRL OP(MD) No.19540 of 2018
Date :31/10/2018