



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

Thursday, the Twenty Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1275 of 2018

POOMURUGAN

... PETITIONER / ACCUSED NO.14

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
JETTY POLICE STATION, RAMESWARAM,
RAMANATHAPURAM DISTRICT.
(CR.NO.75/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.GOKUL Advocate

For Respondent : MR.A.ROBINSON Govt. Advocate (Crl. Side)

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

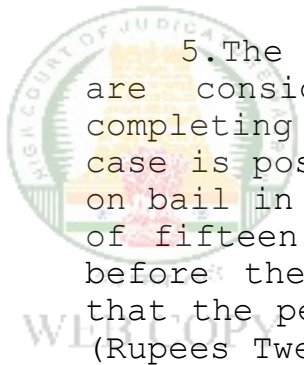
ORDER : The Court Made the following order :-

The petitioner/A14, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 147 I.P.C. Sections 2 & 3 of TNPPDL Act r/w Section 188 I.P.C, in Crime No.75 of 2015, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused went to Thevar Guru Pooja on 30.10.2014, at that time, the petitioner/A14 along with other accused got dispute, thereby, the petitioner and other accused have scolded the defacto complainant in filthy language. Hence, the defacto complainant lodged a complaint against these petitioners before the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated in this case, he has not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Criminal Side) appearing for the respondent police submitted that after completing investigation, charge sheet has been filed and the case is posted for trial.



5.The submissions made by the learned counsel on either side are considered. According to prosecution, as of now, after completing the investigation, charge sheet has been filed and the case is posted for trial. Accordingly, he 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, Rameswaram, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 concerned Magistrate Court daily at 10.00 a.m for a period of one week and thereafter 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 anticipatory bail granted to the petitioner shall stand automatically cancelled and 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/-
25/01/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAMESWARAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
JETTY POLICE STATION, RAMESWARAM,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.GOKUL Advocate SR.No.1447

ORDER IN
CRL OP(MD) No.1275 of 2018
Date :25/01/2018