



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

Monday, the Eighth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.146 of 2018

R.MUTHUKUMAR

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
R.S. MANGALAM POLICE STATION
(CRIME NO.269 OF 2017)
RAMANATHAPURAM DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.RAMANATHAN Advocate

For Respondent : M/S.S.BHARATHI, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 324 and 506(ii) of IPC in Crime No.269 of 2017 on the file of the respondent Police, seeks anticipatory bail.

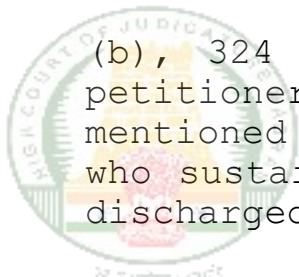
2.The case of the prosecution is that the defacto complainant is the own elder brother of the petitioner and when the petitioner and the defacto complainant shared their crop insurance amount, the petitioner slapped him with the brick and the defacto complainant sustained injury. Hence, the defacto complainant lodged complaint before the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he is no way connected to this case.

4.The learned Government Advocate (Crl.Side) submitted that investigation is not yet completed.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The submissions made by the learned counsel on either side considered. The offences punishable under Sections 294



(b), 324 and 506(ii) of IPC has been registered against the petitioner, in which except 506(ii) of IPC all other petition mentioned offences are bailable in nature. Further, the person who sustained injury during the time of alleged occurrence was discharged from the hospital.

6. Taking all the above said aspects into consideration and having regard to the nature of offence, this Court comes to the conclusion that in order to complete the investigation, custodial interrogation is not necessary. Accordingly, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvadanai, on condition that each of the petitioners 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 respondent Police daily at 10.00 a.m. for a period of three weeks 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 petitioners 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/-
08/01/2018

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



tm/sss

TO

1 THE JUDICIAL MAGISTRATE, THIRUVADANAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
R.S. MANGALAM POLICE STATION, RAMANATHAPURAM DISTRICT

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

+1. CC to M/S.K.RAMANATHAN Advocate SR.No.274

GJM/CM/VR/SAR-2-10.1.18-3P-6C

ORDER

IN

CRL OP (MD) No.146 of 2018

Date : 08/01/2018