



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

Friday, the Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1649 of 2018

RAJADURAI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
VELLIYANAI POLICE STATION,
KARUR DISTRICT.
(CR.NO.23/18)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.P.SENTHIL 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 :-

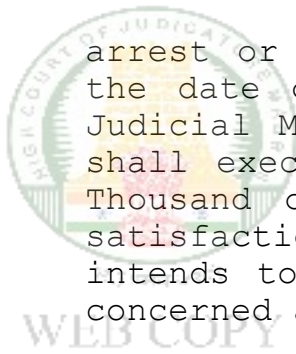
The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 448, 294(b), 506(ii) IPC in Crime No.23 of 2018, seeking relief to grant of anticipatory bail.

2.The case of the prosecution is that on 28.12.2017, the petitioner entered into the defacto complainant's house without his permission, Thereafter, there was a wordy quarrel between them and the petitioner abused the defacto complainant with filthy language and threatened him with aruval. Hence, the defacto complainant lodged a complaint against the petitioner.

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

4.The learned Government Advocate (Crl.side) submitted that no one is injured. According to him, investigation is pending.

7. Considering the submissions made on either side, it disclose that the offences under Sections 448, 294(b), 506(ii) IPC in Crime No.23 of 2018, has been registered against the petitioner. According to the prosecution, the investigation is pending. Therefore, custodial interrogation is not necessary for completing the investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. 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 No.II, Karur, 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 respondent police daily at 10.30 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 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/-
02/02/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KARUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR
- 3 THE SUB INSPECTOR OF POLICE,
VELLIYANAI POLICE STATION, KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.P.SENTHIL Advocate SR.No.1895
RMI
JAM/07/02/2018/CM-VR/ SAR 1 / 2P-6C

ORDER
IN
CRL OP(MD) No.1649 of 2018
Date :02/02/2018