



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

Friday, the Ninth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3678 of 2018

G. RAJENDRAN

... PETITIONER / ACCUSED NO.2

Vs

STATE, REP.BY
INSPECTOR OF POLICE
VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
IN CR.NO. 8/2018

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.SARAVANAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

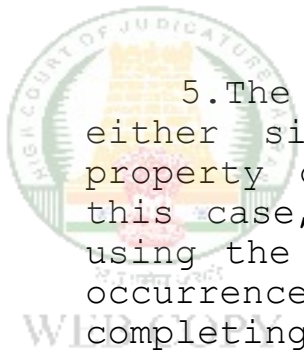
ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 355, 325, 506(ii), 307 I.P.C., and Section 4 of TNPHW Act, in Crime No.8 of 2018, seek anticipatory bail.

2.The case of the prosecution is that due to family property dispute, the petitioner along with first accused in this case entered into the house of the defacto complainant and made quarrel with her, the first accused in this case slapped the defacto complainant with chappel and the petitioner herein caused cut injuries to the defacto complainant with aruval. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated, further added that 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 State submitted that the injured has been discharged from the hospital, after completing the treatment. According to him, investigation is still pending.



5. The submissions made by the learned counsel appearing on either side are considered. On 04.01.2018, due to family property dispute, the petitioner and another one accused in this case, assaulted the defacto complainant and his wife by using the aruval and chappel. Within 5 days from the date of occurrence, the injured was discharged from the hospital after completing the treatment. The other accused in this case were already released on bail. According to prosecution, the injured has sustained only simple injury. So, considering the facts and circumstances of the case, custodial interrogation of the petitioner may not be necessary for completing the investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner. 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, Pattukkottai, 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:

(ii) the petitioner shall report before the respondent police daily at 10.00 a.m. Until further orders.

(i) 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/-
09/03/2018

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



msa

TO

1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
VATTATHIKOTTAI POLICE STATION, THANJAVUR DISTRICT.

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

+1. CC to M/S.A.SARAVANAN Advocate SR.No.3919

GJM/MM/PN/SAR-3-13.3.18-3P-6C

ORDER

IN

CRL OP(MD) No.3678 of 2018

Date :09/03/2018