



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

Monday, the Twelfth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3828 of 2018

RAMYA

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
MUSIRI POLICE STATION,
TRICHY DISTRICT.
CRIME NO.60 OF 2018.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.JOEL PAUL ANTONY Advocate

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

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

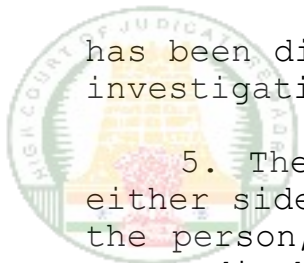
ORDER : The Court Made the following order :-

The petitioner/A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(ii) of IPC., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.60 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that on 06.03.2018, due to previous enmity, the petitioner and other accused made a wordy quarrel with the defacto complainant, as a result of which they assaulted the defacto complainant and caused injuries. Hence, the case has been registered against the petitioner and other accused for the above incident.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he is no way connected with the alleged occurrence. He further submitted that the petitioner has been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent on instructions, would submit that the injured



has been discharged from the hospital. He further submitted that the investigation is still pending.

5. The submissions made by the learned counsels appearing for either side are considered. According to the prosecution, as of now, the person, who sustained injury during the time of occurrence was discharged from the hospital after completing treatment. Further, except Section 506 (ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, all the other petition mentioned offences are bailable in nature. Accordingly, custodial interrogation may not be necessary for completing the investigation. Therefore, considering the above 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Musiri, Trichy District, 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 10.00 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 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/-
12/03/2018

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE, MUSIRI, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE,
MUSIRI POLICE STATION, TRICHY DISTRICT.

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

+1. CC to M/S.A.JOEL PAUL ANTONY Advocate SR.No.3980

PJL

CSL/RR-SAR-III/15.03.2018 : 3P/6C

ORDER

IN

CRL OP (MD) No.3828 of 2018

Date :12/03/2018