



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

Wednesday, the Fifth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21464 of 2018

K.DEKHSINAMOORTHY

... PETITIONER / ACCUSED NO.4

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PERAVURANI POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.167/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.RAVI Advocate

For Respondent : MR.M.ASOKAN, Government Advocate

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

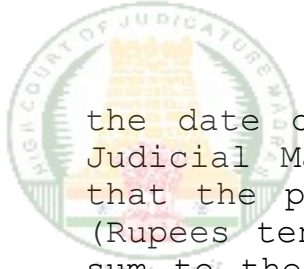
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 147, 294 (b), 323, 332, 506(i) of I.P.C. in Crime No.167 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 19.11.2018, the defacto complainant and her assistant along with another village administrative officer while taking details in respect of the damages caused by the "Cyclone Gaja" in the concerned village and on hearing the agitation by the hundreds of people demanding water and food, blocking the main road, the defacto complainant and others went to the spot holding negotiation to withdraw the strike. At the time, according to the defacto complainant/ Accused No.1 to 3 entered into a wordy quarrel with the defacto complainant and manhandled them. Hence a complaint has been registered.

3.The learned counsel for the petitioner submitted that A1 in this case has been granted bail by this Court in Crl.O.P.(MD) No.21366 of 2018.

4.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner. 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, Pattukottai, Thanjavur District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days, this order shall stand automatically cancelled without any reference to the Court.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

05/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR.
- 2 DO THROUGH THE CHIEF
JUDICIAL MAGISTRATE, THANJORE AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
PERAVURANI POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.R.MURUGESAN, Advocate SR.No. 98652

ORDER

IN

CRL OP(MD) No.21464 of 2018

Date :05/12/2018