



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

Wednesday, the Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.17902 of 2017

CHIDAMBARAM

... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKOTTAI DISTRICT.
CRIME NO.249/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.JEGADEESWARAN Advocate

For Respondent : MR.K.S.DURAI PANDIAN, Additional Public prosecutor

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

ORDER : The Court Made the following order :-

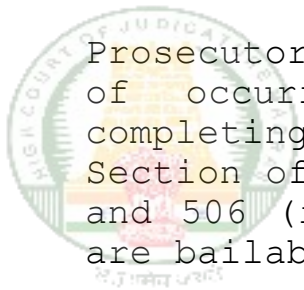
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294 (b), 324, 506 (ii) in Crime No.249 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioner attacked and abused the de facto complainant and caused grievous injury.

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. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is in no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that investigation is not yet completed. According to him, the injured was discharged from the hospital.

<https://hcservices.courts.gov.in/hcservices> 5.Considering the submissions made on either side, it seems that the occurrence was happened due to the civil dispute. However, submissions made by the learned Additional Public



Prosecutor that the person, who sustained injuries at the time of occurrence, was discharged from the hospital after completing treatment, hence, there is no scope for altering the Section of law in future. Apart from that, except Sections 324 and 506 (ii) IPC the other offences mentioned in the petition are bailable in nature.

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 investigation, custodial interrogation is not necessary. Accordingly this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:-**

(i) The petitioner is granted anticipatory bail in the event of their arrest or on their surrender before the learned Judicial Magistrate, Keeranur, Pudukkottai District.

(ii) On such arrest or surrender, the petitioner is ordered to be enlarged on bail on their executing a bond for Rs.25,000/- with two sureties for like sum each to satisfaction of the learned Judicial Magistrate, Keeranur, Pudukkottai District.

(iii) The petitioner is directed to appear before the respondent Police daily at 10.00 a.m. for a period of three weeks.

(iv) The petitioner shall make himself available for interrogation as and when required by the Investigation Officer.

(v) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners 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/-

03/01/2018

/ TRUE COPY /

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



gns/smn2

TO

1 THE JUDICIAL MAGISTRATE
KEERANUR, PUDUKKOTTAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION, PUDUKOTTAI DISTRICT.

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

+1. CC to M/S.R.JEGADEESWARAN Advocate SR.No.230

GJM/CM/VR/SAR-2-8.1.18-3P-6C

ORDER

IN

CRL OP(MD) No.17902 of 2017

Date :03/01/2018