



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP (MD) No.7534 of 2018

SAVANNA ALIAS SHAHUL HAMEED

... PETITIONER/SOLE ACCUSED

Vs

STATE BY,
THE INSPECTOR OF POLICE,
ADIRAMAPATTINAM POLICE STATION,
THANJAVUR DISTRICT.
IN CR NO.74 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.MURUGENDRAN, Advocate

For Respondent : M/S.ASHOKAN, Government Advocate

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

ORDER : The Court Made the following order :-

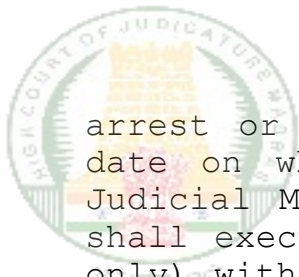
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 341, 506 (ii) IPC, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has abused and threatened the defacto complainant with dire consequences on 08.04.2018.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. FIR was registered only on 12.04.2018, which clearly shows that the complaint is false. Hence prays this petition to be ordered.

4.The learned Government Advocate appearing for the respondent Police submitted that the respondent has no serious objection in this regard.

5.Considering the facts and circumstances of the case, I am 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, pattukottai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

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

[d]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)**.

sd/-
03/05/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.G.MURUGENDRAN Advocate SR.No.8194

ORDER
IN
CRL OP(MD) No.7534 of 2018
Date :03/05/2018