



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.7519 of 2018

ESURAJA

... PETITIONER / ACCUSED RANK
NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SRIVAICKUNDAM POLICE STATION,
TUTICORIN DISTRICT.
IN CRIME NO 88 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.RADHAKRISHNAN Advocate

For Respondent : M/S.M.ASOKAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

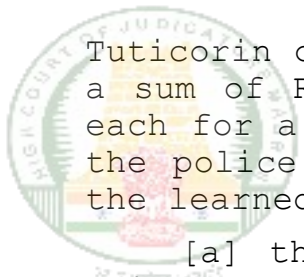
The petitioner, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 448, 323, 324, 307 and 506(ii) of IPC and section 3 of TNPPDL Act in Crime No.88 of 2018 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner and others attacked the defacto complainant, caused injury to him and damaged his properties.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and that the co-accused have been released on bail by the lower court and that the injured has been discharged from the hospital.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police on instruction would submit that the injured has been discharged from the hospital and that the co-accused have been released on bail.

5.Considering the facts and circumstances of the case and also taking note of the fact that the injured has been discharged on the same day, I am inclined to grant anticipatory bail to the petitioner. Accordingly, petitioner is ordered to be released on bail with or without arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Srivaikundam,



Tuticorin 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, SRIVAICKUNDAM,
TUTICORIN DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
3. THE INSPECTOR OF POLICE,
SRIVAICKUNDAM POLICE STATION, TUTICORIN DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.RADHAKRISHNAN Advocate SR.No.8204

ORDER
IN
CRL OP(MD) No.7519 of 2018
Date :03/05/2018

MS/CM/ASVM/08.05.2018/2P.6C