



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

Wednesday, the Sixteenth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP (MD) No.8148 of 2018

M.PERIYASAMY

... PETITIONER/ACCUSED NO.1

Vs

STATE THROUGH
THE SUB INSPECTOR OF POLICE
DEVADHANAPATTI POLICE STATION,
THENI DISTRICT.
CRIME NO.561 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.VENKATESAN Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 354 and 506 (ii) IPC and Section 4 of TNPWH Act 2002, in Crime No.561 of 2017 and seeks anticipatory bail.

2.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner was already granted anticipatory bail by the learned Principal Sessions Judge, Theni, vide order dated 08.12.2017, in Cr.M.P.No.4037 of 2017, but unfortunately, he could not able to produce sureties due to his poverty and thereafter, he filed a petition in Crl.O.P.(MD)No.17968 of 2017 for modification before this Court and the same was dismissed on 03.01.2018. Thereafter, he filed Crl.O.P.(MD)No.174 of 2018 before this Court and the same was also dismissed on the ground of non-mentioning of earlier order.

3.The learned Government Advocate (Criminal side) submitted that on 02.12.2017 at the time of bursting crackers, there was a wordy quarrel arose between the petitioner and the defacto complainant, as a result of which, the petitioner and other accused persons are said to have abused the defacto complainant using filthy language and threatened her with dire consequences.



4.Considering the facts and circumstances of the case, this Court is inclined to grant the relief of anticipatory bail to the petitioner.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Magistrate concerned within a period of 10 days from the date of receipt of a copy of this order, on his executing 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 learned Judicial Magistrate, Periyakulam, or to the satisfaction of the respondent police or the police officer who intends to arrest and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m. for two weeks and thereafter, as and when required for interrogation.

sd/-
16/05/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PERIYAKULAM
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
DEVADHANAPATTI POLICE STATION,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.VENKATESAN Advocate SR.No.8519

SMN2/MM
GJM/RR/RNB/18.5.18-2P-6C

ORDER
IN
CRL OP(MD) No.8148 of 2018
Date :16/05/2018