



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

Monday, the Nineteenth day of November Two Thousand and Eighteen

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

CRL OP (MD) No.20205 of 2018

ASHOK KUMAR

... PETITIONER / ACCUSED NO.2

Vs

STATE REPRESENTED BY,  
THE INSPECTOR OF POLICE,  
KAYATHAR POLICE STATION,  
THOOTHUKUDI DISTRICT.  
(CRIME NO. 317 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.PRABU, Advocate

For Respondent : Mr.M.ASHOKAN, Govt. Advocate ( Crl. Side)

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

**ORDER :** The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b) and 506(ii) of IPC, in Cr.No.317 of 2018 seeks anticipatory bail.

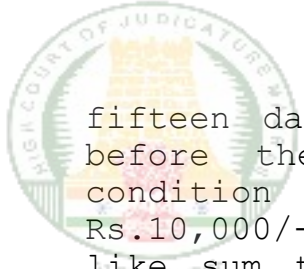
2. The case of the prosecution is that on 02.11.2018, there was a wordy quarrel arose between the petitioner and defacto complainant. At that time, the petitioner abused the defacto complainant with filthy language and threatened him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that a false case has been foisted against them and he has been falsely implicated in this case. The petitioner was arrayed as A2. A1 and A3 in this case have been arrested on 04.11.2018 and released on 11.11.2018 on bail by the Court below.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner involved in two other cases and has been granted bail.

5.Taking into consideration the facts of the case, this Court inclined to grant anticipatory bail to the petitioner.

6.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 No.II, Kovilpatti, 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police at 5.00 p.m. for a period of two weeks and thereafter 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

19/11/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II,  
KOVILPATTI, THOOTHUKUDI DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3.THE INSPECTOR OF POLICE,  
KAYATHAR POLICE STATION,  
THOOTHUKUDI DISTRICT.

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

+1. CC to Mr.M.PRABU Advocate SR.No.21769.

ORDER

IN

CRL OP(MD) No.20205 of 2018

Date :19/11/2018