



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

Friday, the Twenty Third day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20268 of 2018

BASKAR

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REPRESENTED BY.
THE INSPECTOR OF POLICE,
ERIODU POLICE STATION, ERIODU,
DINDIGUL DISTRICT.
(CRIME NO.307/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.LAWRANCE Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI Govt. Advocate
(Crl. Side)

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 offences punishable under Sections 109, 120(b), 307 and 324 of IPC in Crime No.307 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner who is a money lender and had given money to one Thangavel. On 10.09.2018, the persons known to the petitioner had dropped near Thangavel house for collecting the money, at that time, the accused is said to have attacked the said Thangavel, due to which, he sustained injury.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged occurrence. He further submitted that there is no specific overt act attributed against this petitioner.

4.The learned Government Advocate (Crl.side) for the respondent police would submit that the injured has been discharged from the hospital.

5.Taking into consideration the facts of the case and the submissions by learned counsels, this Court is 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, Vendasandur, 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 daily at 10.30 a.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/-
23/11/2018

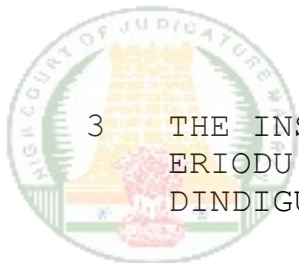
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
VEDASANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.



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3 THE INSPECTOR OF POLICE
ERIODU POLICE STATION, ERIODU,
DINDIGUL DISTRICT.

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

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+1. CC to M/S.J.LAWRANCE Advocate SR.No.21987

PS/JC/SAR-4/28/11/2018/3P/6C

ORDER

IN

CRL OP(MD) No.20268 of 2018

Date :23/11/2018