



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

Thursday, the Fifteenth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20422 of 2018

P.KARUPU @ KARPOORA RAJA

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KARUPAYOORANI POLICE STATION,
MADURAI.
IN CRIME NO. 187 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.I.SABEER MOHAMED Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government 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 147, 148, 323, 324 and 506(ii) of IPC in Cr.No.187 of 2018 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner doing building work and residing with his parents. On 04.11.2018, there was a wordy quarrel between the defacto complainant and some other persons. In continuation, on 06.11.2018, the petitioner along with 13 persons went to the defacto complainant's house with deadly weapons. The petitioner identified the defacto complainant and assaulted with other accused persons using wooden logs and bottles. The petitioner is said to have attacked the father of the defacto complainant who was present there.

3.The learned counsel for the petitioner would submit that a false case has been foisted against them and they had nothing to do with the alleged offences.



4.The learned Government Advocate (Crl. Side) submitted that the petitioner has four previous cases similar in nature and the injured person in this case has been discharged from the hospital.

5.Taking into consideration the facts of the case and the fact that the no one is taking treatment in the hospital as inpatient, 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, Madurai, 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 4.00 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/-

15/11/2018

/ TRUE COPY /

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

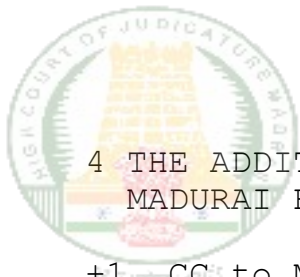
TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,

<https://hcservices.ecourts.gov.in/hcservices/>
KARUPATHURAN POLICE STATION, MADURAI.



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

+1. CC to M/S.I.SABEER MOHAMED Advocate SR.No. 21628

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ORDER

IN

CRL OP (MD) No.20422 of 2018

Date :15/11/2018

JM/VR MMS/SAR 2/19.11.2018/3P/6C