



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

Friday, the Twenty First day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22650 of 2018

P.MARIAPPAN

... PETITIONER / ACCUSED No.3

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE,
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.63/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.MANI ANANDH, 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/Accused No.3, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 341, 294(b), 323, 324 & 506(ii) IPC in Crime No.63 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 01.04.2018, due to previous enmity, A-1, A-2 and A-3/this petitioner entered into a wordy quarrel with the defacto complainant, abused him with filthy language and threatened him with dire consequences.

3.The learned counsel for the petitioner submits that the petitioner is innocent and he had nothing with the alleged crime. Hence, anticipatory bail may be granted to him.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that in this case, injured has been discharged from the hospital and investigation is going on.

5.Considering the fact that injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to

the petitioner, with certain conditions:-

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Cheranmahadevi and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that

[a] if the petitioner failed 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 10.00 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/-
21/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
CHERANMAHADEVI.



2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.P.MANI ANANDH Advocate SR.No.23829

ORDER

IN

CRL OP (MD) No.22650 of 2018

Date :21/12/2018

AMS/PN-AC/S-3/28.12.2018/3P/6C