



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

Thursday, the Twenty Second day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20661 of 2018

KANNAN

... PETITIONER / A 2

Vs

The State rep by,
THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO. 273 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.VENKATESHWAR Advocate

For Respondent : MR.M.ASOKAN, Government 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 alleged offences punishable under Sections 294(b), 452, 506(ii) IPC in Crime No.273 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that in the eve of Deepavali, there was some wordy quarrel arose between the parties and the petitioner herein is said to have abused the defacto complainant in filthy language and also threatened him with dire consequences.

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

4.The learned Government Advocate (Crl.side) would submit that investigation is pending.

5.Taking into consideration the facts of the case and the submissions by learned counsel on either side, 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, Keeranur, Pudukkottai District 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 respondent police or the police officer who intends to arrest or 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 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/-
22/11/2018

/ TRUE COPY /

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

TO

1. THE JUDICAIL MAGISTRATE,
KEERANUR, PUDUKKOTTAI DISTRICT
2. DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI
3. THE INSPECTOR OF POLICE
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI



+1. CC to M/S.R.VENKATESHWAR Advocate SR.No.21878

WEB COPY

ORDER

IN

CRL OP (MD) No.20661 of 2018

Date :22/11/2018

MK/JC/SAR 2/29.11.2018/3P/6C