



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.20687 of 2018

GNANADURAI

... PETITIONER / ACCUSED No.1

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
ERVADI DHARGA POLICE STATION,
ERVADI,
RAMANATHAPURAM DISTRICT.
(IN CRIME NO.101/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.D.ANBARASU 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 147, 148, 341, 294(b), 324, 323, 506(2) IPC in Crime No.101 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the father of one Mano, who is A5 in this case. The defacto complainant's sister's daughter had love affair with said Mano and hence, the petitioner and other persons made arrangement for conducting marriage. Due to which, there was wordy quarrel arose between them.

3.The learned counsel for the petitioner would submit that counter case has also been initiated against the defacto complainant and his family in Crime No.100 of 2018 and petitioner's family members also got injury in the alleged occurrence.

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

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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, Ramanathapuram, Ramanathapuram 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 at 10.30 am 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/-
22/11/2018

/ TRUE COPY /

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

TO

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1. THE JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



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

3.THE SUB INSPECTOR OF POLICE,
ERVADI DHARGA POLICE STATION,
ERVADI, RAMANATHAPURAM DISTRICT.

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

+1. CC to MR.D.ANBARASU Advocate SR.No.96449

ORDER

IN

CRL OP (MD) No.20687 of 2018

Date :22/11/2018

AE/PN/SAR1/28.11.2018/3P/6C