



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

Monday, the Twenty Sixth day of November Two Thousand and Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20912 of 2018

MEERAN

... PETITIONER / ACCUSED A2

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
NATHAM POLICE STATION
NATHAM,
DINDIGUL DISTRICT.
IN CRIME NO.670 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.KRISHNA Advocate

For Respondent : Mr.M.ASHOKAN, 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 294(b), 324, 341 and 506(ii) of IPC in Crime No.670 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner's brother purchased Tractor under the hypothecation by the Jeyaveera Finance Company which is situated at Theni. The defacto complainant who is working in the above said finance company, went to the petitioner house for collecting money due to non payment and his henchman trying to attack the petitioner's mother, at that time, the petitioner attacked the defacto complainant with Aruval, due to which, he sustained injuries.

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 the petitioner has preferred a complaint against the defacto complainant, since it is a counter case.



4.The learned Government Advocate (Crl.side) for the respondent police would submit that the injured has been discharge from the hospital on 12.11.2018.

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 District Munsif Cum Judicial Magistrate, Natham, Dindigul 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 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/-

26/11/2018

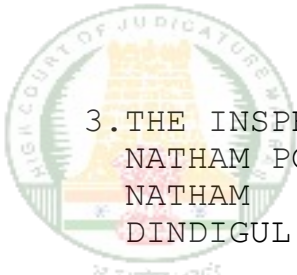
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
NATHAM, DINDIGUL DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
DINDIGUL DISTRICT.



3. THE INSPECTOR OF POLICE
NATHAM POLICE STATION
NATHAM
DINDIGUL DISTRICT.

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

+1. CC to Mr.K.KRISHNA Advocate SR.No.22086.

ORDER

IN

CRL OP (MD) No.20912 of 2018

Date :26/11/2018

RAM/VR MMS/SAR 1/29.11.2018/3P/6C