



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

Wednesday, the Fifth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21438 of 2018

KANI

... PETITIONER / SOLE ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
BODI TOWN POLICE STATION,
THENI DISTRICT
CRIME NO.1140 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.SELVARAJ 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, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 294(b), 323, 506(i) of I.P.C. r/w Section 4 of TNWH Act in Crime No.1140 of 2018, seeks anticipatory bail.

2.The petitioner is the husband of the defacto complainant. There was a dispute between the husband and wife which ends with injury. The petitioner / husband has also made a complaint before the respondent and a case has been registered in Crime No.1144 of 2018. This is a case case in counter.

3.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner. 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, Bodi, Theni District, on condition that the petitioner shall execute 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 fails to surrender before the concerned Magistrate within a period of fifteen days, this order shall stand automatically cancelled without any reference to the Court.

[b] the petitioner shall report before the respondent police 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

05/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
BODI, THENI DISTRICT
 2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT
 3. THE INSPECTOR OF POLICE
BODI TOWN POLICE STATION, THENI DISTRICT
 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.R.SELVARAJ Advocate SR.No.22783

ORDER

IN

CRL OP(MD) No.21438 of 2018

Date :05/12/2018