



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

Thursday, the Twenty Ninth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21100 of 2018

SENTHIL@SENTHILNATHAN

... PETITIONER / ACCUSED NO.1

Vs

STATE REPRESENTED BY.
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
TUTICORIN DISTRICT.
(CRIME NO.512/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.V.MALAIYENDRAN Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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 and 506(ii) IPC, in Crime No.512 of 2018, seeks anticipatory bail.

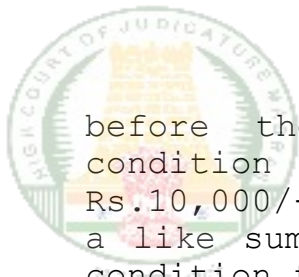
2.The case of the prosecution is that on 16.11.2018, while the defacto complainant and his brothers are consuming alcohol, there seems to be some wordy quarrel arose, due to which, the petitioner is said to have assaulted the defacto complainant. Hence, the complaint.

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.

4.The learned Additional Public Prosecutor for the respondent police would submit that the injured has been discharged from the hospital.

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 <https://hcservices.ecourts.gov.in/hcservices/> 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 No.III, Tuticorin, 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 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/-
29/11/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TUTICORIN.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
- 3 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.V.MALAIYENDRAN Advocate SR.No.22406
PS/VR-MMS/SAR-4/04/12/2018/2P/6C

ORDER
IN
CRL OP(MD) No.21100 of 2018
Date :29/11/2018