



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.21442 of 2018

GOPALAKRISHNAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
OTHAKKADAI POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.440/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.G.RAJASEKAR Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506 (ii) IPC in Cr.No.440 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that due to some wordy quarrel between the petitioner and defacto complainant with regard to some civil dispute, the petitioner attacked the defacto complainant with iron rod and threatened him with dire consequences.

3.The learned Government Advocate would submit that the injured has been discharged from the hospital.

4.Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner.

5.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 Melur, Madurai 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 fails 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 the 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/-
05/12/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
MELUR, MADURAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI

3 THE INSPECTOR OF POLICE
OTHAKKADAI POLICE STATION, MADURAI DISTRICT.

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

+1. CC to MR.G.RAJASEKAR Advocate SR.No. 22679

ORDER IN
CRL OP(MD) No.21442 of 2018
Date :05/12/2018