



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

Tuesday, the Thirteenth day of November Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20271 of 2018

RAMAIAHA

... PETITIONER / ACCUSED NO.6

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
NANGUNERI POLICE STATION,
TIRUNEVELI DISTRICT.
CRIME NO.8/2014

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.SUSI KUMAR 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 147, 148, 448, 294(b), 427 and 506(ii) of IPC, in Crime No.8 of 2014, seeks anticipatory bail.

2.The case of the prosecution is that there is a dispute between the petitioner and the defacto complainant in respect of sharing the village work, due to which, the petitioner and other accused abused and threatened the defacto complainant's family members.

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 submitted that the investigation is pending.

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 Judicial Magistrate, Nanguneri, 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 10.00 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/-

13/11/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
NANGUNERI, TIRUNELVELI DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3.THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to Mr.C.SUSI KUMAR Advocate SR.No.21510.

ORDER

IN

CRL OP(MD) No.20271 of 2018

Date :13/11/2018