

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.3157 of 2019

RAMKI

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
MANNARGUDI TALUK POLICE STATION,
THIRUVARUR DISTRICT.
CR.NO.14 OF 2019

For Petitioner : M/S.SWAMI SUBRAMANIAN Advocate

For Respondent : MRS.M.PRABHAVATHI ADDL.PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC in Crime No.14 of 2019 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was previous enmity between the accused person and the defacto complainant was abused in filthy language and he was also attacked with stone.

3. The learned Additional Public Prosecutor submitted that A1 has already been released on bail and the injured has already been discharged from the hospital.

4. Taking into consideration, the facts and circumstances, this Court is inclined to grant anticipatory bail to this petitioner with certain conditions. 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 on which the order copy made ready, before the learned Judicial Magistrate No.I, Mannargudi, Thiruvavarur district on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[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 229A IPC.

-sd/-

07/02/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, MANNARGUDI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
MANNARGUDI TALUK POLICE STATION,
THIRUVARUR DISTRICT.

+1 CC to M/S.SWAMI SUBRAMANIAN Advocate on payment of necessary charges SR.NO. 2858

CRL OP.3157/2019

Date :07/02/2019