



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

Monday, the Twenty Eighth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.1049 of 2019

RAJESHKANNA

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
LALGUDI POLICE STATION,
TRICHY DISTRICT.
CRIME NO.9/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.SIDDHARTHAN, 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 :-

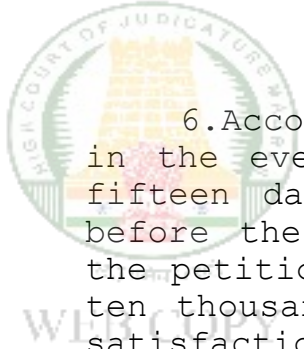
The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of I.P.C in Crime No.9 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel arose between them, the petitioner and his father assaulted the defacto complainant and abused him with filthy language and also caused injuries. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent persons and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) would submit that the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, 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, Lalgudi 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] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[b] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[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/-

28/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, LALGUDI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE
LALGUDI POLICE STATION, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.M.SIDDHARTHAN Advocate SR.No.1533

ORDER IN

CRL OP(MD) No.1049 of 2019

Date :28/01/2019

MS/VR/SAR-2/06.02.2019/2P.6C