



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

Wednesday, the Thirtieth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.1476 of 2019

ARUNKUMAR

... PETITIONER/3RD ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
THENI DISTRICT.
CRIME NO.26/2019

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.JERIN MATHEW, 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 :-

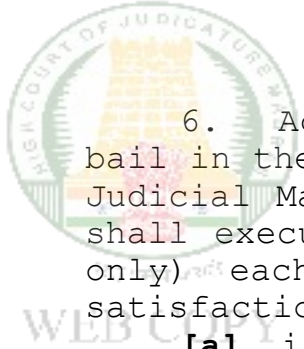
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 & 506(ii) of IPC in Cr.No.26 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute between the petitioner and the *de facto* complainant led to quarrel among themselves by which the petitioner had inflicted injuries and caused criminal intimidation.

3. The learned counsel for the petitioner would submit that it is a case and counter and also submitted that the *de facto* complainant abused the mother of the petitioner in filthy language and also attacked the mother and the petitioner.

4. The learned Government Advocate(Crl.Side) 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 and that the injured has been discharged from the hospital, this Court 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, before the learned Judicial Magistrate, Uthamapalayam on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 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/-

30/01/2019

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

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM,
THENI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT

3 THE INSPECTOR OF POLICE
CHINNAMANUR POLICE STATION, THENI DISTRICT.

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

+1. CC to MR.M.JERIN MATHEW Advocate SR.No.1804

ORDER

IN

CRL OP(MD) No.1476 of 2019

Date : 30/01/2019