



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

Tuesday, the Fifth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1562 of 2019

U.REYAZ AHAMED

... PETITIONER / ACCUSED NO.I

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
K.K.NAGAR POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.53 OF 2019)

... RESPONDENT / COMPLAINANT

A.S.MOHAMMED AMEEN

... PETITIONER/INTERVENER

For Petitioner : MR.A.CHADNRAKUMAR Advocate

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

For Intervener : MR.P.ARUN JAYATRAM, Advocate

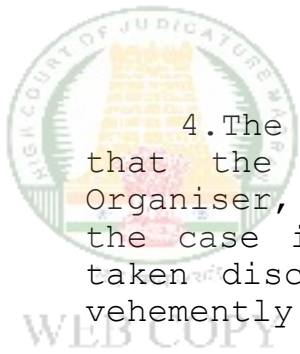
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 147, 294(b), 323 and 506(i) I.P.C. in Cr.No.53 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that on 25.01.2019 the defacto complainant and his friends quarrelled with other group. When the petitioner intervened to pacify the same, the defacto complainant was assaulted by the petitioner. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. The petitioner contended the group clash between the students as a Teacher. In order to escape from the disciplinary proceedings, the defacto complainant gave a false complaint against the petitioner.



4.The learned counsel appearing for the intervenor would submit that the petitioner has illicit intimacy with the Noon Meal Organiser, who is working in the aforesaid School. In this regard, the case is progressing. For that action, the School Management taken disciplinary action against the petitioner. Therefore, he vehemently opposed to grant bail to the petitioner.

5.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that investigation is almost over.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner. 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 No.II, Trichy, 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned 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 daily at 10.30 am., until further orders;

(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 petitioners 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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

05/02/2019

/ TRUE COPY /

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

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3 THE INSPECTOR OF POLICE,
K.K.NAGAR POLICE STATION,
TRICHY DISTRICT.

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

+1. CC to M/S.A.CHADNRAKUMAR Advocate SR.No. 2367

+1. C.C. to M/S.P.ARUN JAYATRAM, Advocate SR.No. 45489

ORDER

IN

CRL OP(MD) No.1562 of 2019

Date :05/02/2019

JM/VR/SAR 2/12.02.2019/3P/7C