



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

Thursday, the Thirty First day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.1606 of 2019

DINESH KUMAR

... PETITIONER / ACCUSED No. 2

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT.
IN CR.NO.10 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.N.ANANDAKUMAR Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. 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 Section 294(b), 323, 324 and 506(ii) of I.P.C in Crime No.10 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioner along with his wife attacked the defacto complainant with wooden log and caused injuries.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person 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.

<https://hcservices.ecourts.gov.in/hcservices/>

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 No.I, Pudukkottai, 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 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/-

31/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO I, PUDUKOTTAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
PUDUKOTTAI DISTRICT

3 THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION, PUDUKKOTTAI DISTRICT.

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

+1. CC to MR.N.ANANDAKUMAR Advocate SR.No.2006

ORDER

IN

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Date :31/01/2019