



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

Tuesday, the Eighth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.278 of 2019

INDRAJITH PREMNATH

... PETITIONER / 2nd ACCUSED

Vs

THE STATE BY
THE INSPECTOR OF POLICE
KALLIDAIKURICHI POLICE STATION,
TIRUNELVELI DISTRICT.
Crime No.286 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.VENKATESH 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 :-

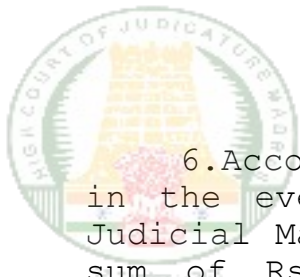
The petitioner/accused No.2, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) I.P.C in Crime No.286 of 2018, seeks anticipatory bail.

2. The petitioner along with A-4 in this case was earlier granted anticipatory bail by this Court vide order in Crl.O.P.(MD). No.20225 of 2018, dated 13.11.2018. But, he was unable to execute the sureties within the stipulated time. Hence, he has come forward with this petition.

3. The contention of the petitioner is that he is ready to co-operate with the investigation and he will not tamper the investigation and hence, anticipatory bail may be granted to him.

4.Heard the learned Government Advocate (Crl.Side) appearing for the respondent in this regard.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions:-



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, Ambasamudram and on his executing 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 learned Magistrate concerned and on further condition that

[a] if the petitioner failed 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 daily at 10.00 a.m for a period of two weeks and thereafter 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/-
08/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
AMBASAMUDRAM.

2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



3. THE INSPECTOR OF POLICE,
KALLIDAIKURICHI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to Mr.D.VENKATESH Advocate SR.No.528

ORDER
IN
CRL OP (MD) No.278 of 2019
Date :08/01/2019

TK/VR/SAR-4/10.01.2019/3P/6C