



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

Tuesday, the Thirtieth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.6548 of 2019

MARUTHUPANDI

... PETITIONER/ACCUSED No. (UNKNOWN)

Vs

THE INSPECTOR OF POLICE,
THIDEER NAGAR POLICE STATION,
MADURAI,
MADURAI DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.C.DEEPAK, Advocate

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

For Intervenor : Mr.M.SENDHIL KUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323,324 and 506(ii) of IPC in Cr.No.225 of 2019, on the file of the respondent police, seeks anticipatory bail.

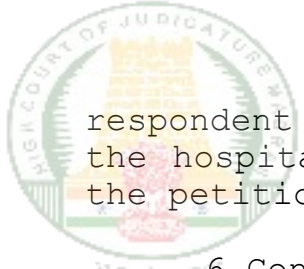
2.It is the case of the prosecution that the when the defacto complainant along with his friend was travelling in a bike, the petitioner drove the two wheeler in a rash and negligent manner and when the same was questioned by the defacto complainant, the petitioner along with others attacked the defacto complainant's son and threatened with dire consequences. 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 and he is innocent.

4. The learned counsel for the intervenor vehemently opposed for grant of anticipatory bail.

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

5.The learned Government Advocate(Crl.side) appearing for the



respondent police would submit that injured has been discharged from the hospital. He would also submit that there exist some threat to the petitioner in the said locality.

6. Considering the facts and circumstances and considering the fact that the injured has been discharged from the hospital, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Madurai, 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the Tirunelveli Town Police Station daily at 10.30 a.m., 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 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]**; and;

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

sd/-
30/04/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.V,
MADURAI

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI

3. THE INSPECTOR OF POLICE,
THIDEER NAGAR POLICE STATION,
MADURAI DISTRICT

4. THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI

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

+1. CC to M/S.C.DEEPAK, Advocate SR.No.7948

+1. CC to M/S.M.SENDHIL KUMAR, Advocate SR.No.7826

ORDER

IN

CRL OP (MD) No.6548 of 2019

Date : 30/04/2019

AAV

PK/PN/SAR-4/10.05.2019 : 3P/8C