



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

Friday, the Eighteenth day of January Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.669 of 2019

KARUPPANAN

... PETITIONER / ACCUSED No.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ABIRAMAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.29/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.SATHISHKUMAR 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 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) I.P.C. in Crime No.29 of 2018, seeks anticipatory bail.

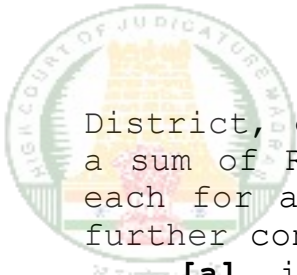
2. The case of the prosecution is that on 09.04.2018, a wordy quarrel arose between the petitioner and the *de facto* complainant, the petitioner along with the other accused persons abused the *de facto* complainant with filthy language and attacked him.

3. The learned counsel appearing for the petitioner would submit that a false case has been foisted against him and he had nothing to do with the alleged offence.

4.Heard the learned Government Advocate (Crl. side) appearing for the respondent.

5.Taking into consideration the facts of the case and the submissions made by learned counsel on either side, this Court is 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kamuthi, Ramanathapuram



District, 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] 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 daily at 10.30 a.m. and 05.30 p.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/-

18/01/2019

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
KAMUTHI, RAMANATHAPURAM DISTRICT.

2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.

3.THE INSPECTOR OF POLICE,
ABIRAMAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.K.SATHISHKUMAR Advocate SR.No.878

ORDER

IN

CRL OP(MD) No.669 of 2019

Date :18/01/2019