



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

Wednesday, the Twenty Second day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CRL OP(MD) No.7263 of 2019

PERIYAKARUPPAN

... PETITIONER / ACCUSED RANK 3

Vs

STATE, REP.BY
THE INSPECTOR OF POLICE
KEELAVALLAVU POLICE STATION,
MADURAI DISTRICT.
Crime No.238/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.B.SANTHANAM RAJESHKUMAR Advocate

For Respondent : Mrs.M.ANANTHA DEVI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

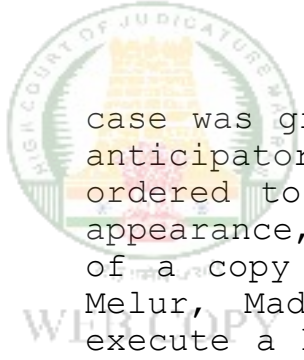
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 341, 294(b), 324, 355 and 506(ii) I.P.C, in Crime No.238 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioner abused the *de facto* complainant and threatened him with dire consequences and also attacked him. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the injured has been discharged from the hospital. She would also submit that co- accused in this case was granted anticipatory bail.

5.Considering the facts and circumstances of this case and also considering the fact that the injured has been discharged from the hospital and also considering the fact that co- accused in this



case was granted anticipatory bail, 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, Melur, Madurai 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 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;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 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;

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

sd/-
22/05/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT.

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

2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3. THE INSPECTOR OF POLICE
KEELAVALLAVU POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to Mr.B.SANTHANAM RAJESHKUMAR Advocate SR.No.8686

ORDER

IN

CRL OP (MD) No.7263 of 2019

Date :22/05/2019

das/aav

AE/VR/SAR-4/27.05.2019/3P/6C