



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

Monday, the Third day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.7525 of 2019

CHIDAMBARAM

... PETITIONER /SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.51/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.VADIVEL Advocate

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

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

ORDER : The Court Made the following order :-

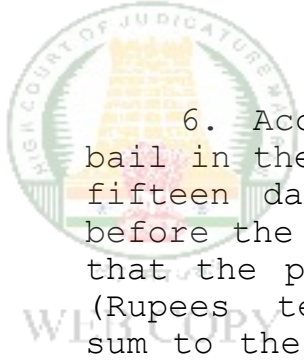
The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC, in Crime No.51 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioner is alleged to have abused the de facto complainant in filthy language and assaulted him by using stick and caused injuries. Hence the complaint.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is her further submission that the injured has been discharged from the hospital and hence, she prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent has conceded that the injured has been discharged from the hospital.

5.Taking into consideration the fact that the injured has been discharged from the hospital, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Thanjavur on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) 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].

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

sd/-

03/06/2019

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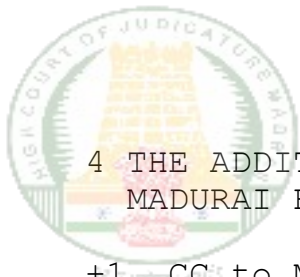
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT.



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

+1...CC to M/S.P.VADIVEL Advocate SR.No. 9082

WEB COPY

ORDER

IN

CRL OP(MD) No.7525 of 2019

Date :03/06/2019

JM/VR/SAR 1/10.06.2019/3P/6C