



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

Thursday, the Thirtieth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.7610 of 2019

S.JEGANATH

... PETITIONER / ACCUSED No.3

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE,
SHANARPATTI POLICE STATION,
DINDIGUL DISTRICT,
Crime No.237/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.WILLIAM CHRISTOPHER 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, who is arrayed as accused No.3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 147, 324 and 506(ii) IPC, in Crime No.237 of 2019, seeks anticipatory bail.

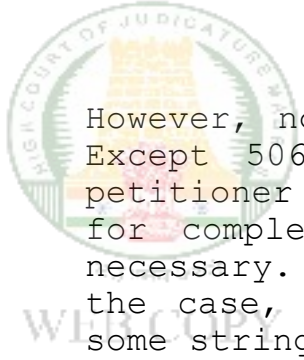
2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused assaulted the defacto complainant by using stick. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person, he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that no person has sustained injury in the alleged occurrence.

5.The submissions made by the learned counsel appearing on either side are considered.

6. It is alleged, due to previous enmity, the petitioner along with other accused assaulted the defacto complainant by using stick.



However, no person has sustained injury in the alleged occurrence. Except 506 (ii) IPC, all other offences registered against the petitioner are bailable in nature. Hence, in the said circumstances, for completing the investigation, custodial interrogation is not necessary. So, on considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail with some stringent conditions to the petitioner.

7. 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.III, Dindigul, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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) the petitioner as well as the sureties shall submit a copy of their Aadhar Card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

(ii) the petitioner shall appear before the Inspector of Police, Dindigul North Town Police Station, daily 10.00 a.m., for a period of three weeks and thereafter as and when required for interrogation;

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

(iv) the petitioner shall co-operate for the investigation and the trial. The petitioner shall not abscond either during investigation or trial and in event of the petitioner abscond, the respondent police shall register a case as provided under Section 229-A IPC;

(v) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled and 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]**.

sd/-
30/05/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO III,
DINDIGUL.

2. THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3. THE INSPECTOR OF POLICE,
SHANARPATTI POLICE STATION,
DINDIGUL DISTRICT.

4. THE INSEPCTOR OF POLICE
DINDIGUL NORTH TOWN POLICE STATION,
DINDIGUL.

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

+1. CC to Mr.J.WILLIAM CHRISTOPHER Advocate SR.No.8932

ORDER

IN

CRL OP(MD) No.7610 of 2019

Date :30/05/2019

TK/JC/SAR-4/04.06.2019/3P/7C