



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 12/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.7988 of 2019

Kannan @ Rajeshkannan

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
Crime No.95/2019.

... Respondent/Complainant

For Petitioner : M/s.K.Radhakrishnan,
Advocate.

For Respondent : V.Neelakandan,
Additional Public Prosecutor.

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

PRAYER :-

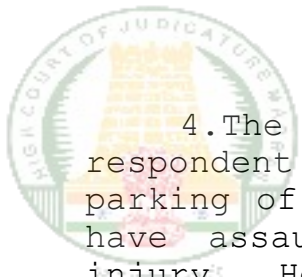
For Anticipatory Bail in Crime no.95/2019 on the file of the respondent police

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), 307 and 506(ii) of IPC, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the petitioner has been falsely implicated in the above case. He further submitted that the injured person has sustained only simple injuries and he has already discharged from the hospital. He further submitted that A2 in this case was arrested and remanded to judicial custody and subsequently released on bail. He further submitted that counter case has also been registered in Crime Number 96 of 2019 under Sections 294(b), 323,427 and 506(i) of IPC and hence, he prayed to grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent has submitted that due to wordy quarrel with regard to parking of a vehicle the second accused and the petitioner herein have assaulted the defacto complainant with sickle and caused injury. Hence she opposed for granting anticipatory to the petitioner. However she fairly conceded that the injured person has sustained simple injuries and he was already discharged from the hospital. He also conceded that a counter case has also been registered.

5. Taking into consideration the fact that the injured persons sustained only simple injuries and also 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, Rameswaram 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 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.

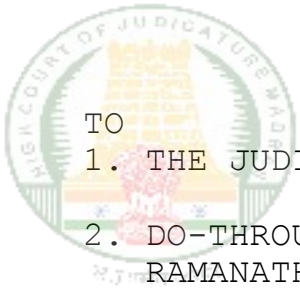
(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-

12/06/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE, RAMESWARAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
RAMESWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.RADHAKRISHNAN Advocate SR.No.9539

ORDER

IN

CRL OP (MD) No.7988 of 2019

Date :12/06/2019

MS/VR/SAR-4/18.06.2019/3P.6C