



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

Thursday, the Thirteenth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8188 of 2019

ANAND

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE SUB-INSPECTOR OF POLICE,
GANGAIKONDAN POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.103/2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.KRISHNAN 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 offence punishable under Sections 294(b), 324 and 506(2) of IPC, seeks anticipatory bail.

2.Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the de-facto complainant herein is the supervisor of a private company, in which, the petitioner was working as a worker and he was dismissed from his service and when the same was questioned by the petitioner, the de-facto complainant gave a false complaint against the petitioner. Hence, he prayed for granting anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) has submitted that the petitioner was dismissed by the de-facto complainant and hence, the petitioner has attacked the de-facto complainant and caused simple injury and the investigation is still pending and hence, she strongly opposed this petition. However, she fairly conceded that the injured person was already discharged from the hospital.



5. Taking into consideration of the fact that the injured person was already 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. III, Tirunelveli and 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] If the petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] 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.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
13/06/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO. III,
TIRUNELVELI.

<https://hcservices.ecourts.gov.in/hcservices/>
2 TO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.



3 THE SUB-INSPECTOR OF POLICE,
GANGAIKONDAN POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.R.KRISHNAN, Advocate (SR-9822[I] dated 17/06/2019)

ORDER

IN

CRL OP(MD) No.8188 of 2019

Date :13/06/2019

JM/VR/SAR 3/26.06.2019/3P/6C