



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

Tuesday, the Twenty Second day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.831 of 2019

U.VENKATASUBRAMANIYAN @ MANIKANDAN, ... PETITIONER /SOLE ACCUSED

Vs

STATE REP
THE INSPECTOR OF POLICE,
PULIANGUDI POLICE STATION,
TIRUNELVELI.
(IN CR.NO.12/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.GUNASEKARAPANDIAN 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 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 355 and 506(ii) of IPC, in Cr.No.12 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner threw the cheppal over the defacto complainant.

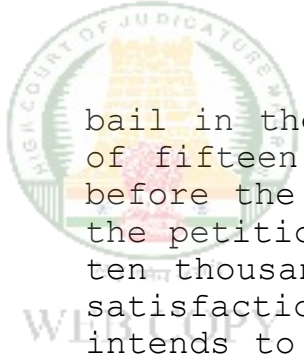
3. The learned counsel for the petitioners would submit that a false case has been foisted against the petitioner and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) would submit that no one sustained injury in the alleged occurrence.

5. Taking into consideration the facts of the case and the submissions by learned counsels and that no one sustained injury in the alleged occurrence, this Court inclined to grant anticipatory bail to the petitioner.

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

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, Sivagiri 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/01/2019

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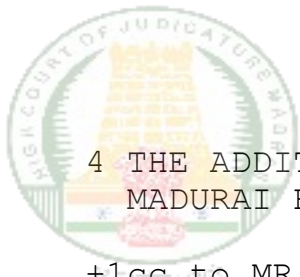
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE JUDICIAL MAGISTRATE,
SIVAGIRI.

2.DO THRO'THE CHIEF JUDICAIL MAGISTRATE,
TIRUNELVELI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>
3. THE INSPECTOR OF POLICE,
PULIANGUDI POLICE STATION,
TIRUNELVELI



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

+1cc to MR.T.GUNASEKARAPANDIAN, Advocate in SR.No. 1122

WEB COPY

ORDER

IN

CRL OP (MD) No.831 of 2019

Date :22/01/2019

AE/JC/SAR2/28.01.2019/3P/6C