



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

Date : 21/06/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8687 of 2019

A.Ramaraaj

... Petitioner/Sole Accused

Vs

State Represented by
The Inspector of Police,
Pattiveeranpatti Police Station,
Nilakottai Taluk, Dindigul District
Cr.No.145/2019

... Respondent/Complainant

For Petitioner : M/s.G.Anbu Saravanan,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory bail in Cr.No.145 of 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 offence punishable under Sections 294(b), 427 of IPC and § of TNPHW Act, seeks anticipatory bail.

2.Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that due to previous enmity, a wordy quarrel arose between the parties. He further submitted that the counter case also has been registered and hence, he prayed for granting anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor has submitted that as per the First Information Report, due to previous enmity, in which, the petitioner pushed the de-facto complainant and fallen down, but he has not sustained any injury. He further submitted that the counter case has also been registered and hence, he strongly opposed this petition.



5. Taking into consideration of the fact that the counter case has also been registered and also considering the fact that no one sustained injury in the scene of occurrence, 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, Nilakkottai, Dindigul District 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.

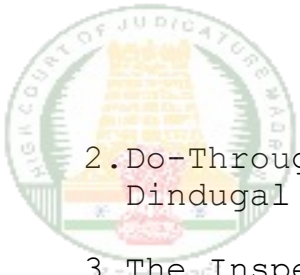
sd/-
21/06/2019

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

TO

<https://hcservices.ecourts.gov.in/hcservices/>
1. The Judicial Magistrate,
Nilakkottai, Dindigul District.



2.Do-Through The Chief Judicial Magistrate,
Dindugal District.

3.The Inspector of Police,
Pattiveeranpatti Police Station,
Nilakottai Taluk,Dindigul District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.ANBU SARAIVANAN, Advocate (SR-10411[I] dated
25/06/2019)

ORDER

IN

CRL OP(MD) No.8687 of 2019

sjj

TK/JC/SAR.2/26.06.2019/3P/6C