



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

Date : 12/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP (MD) . No.9783 of 2019

Ashok

... Petitioner/Sole Accused

Vs

The State of Taminadu Rep.By
The Inspector of Police,
Palani Taluk Police Station ,
Palani, Dindigul District.
Crime No. 182 of 2019.

... Respondent/Complainant

For Petitioner : M/s.Ananth C.Rajesh,
Advocate.

For Respondent : Ms.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.182 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 offences punishable under Sections
341,323,379(NP) of IPC seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has
submitted that the petitioner is innocent and he has been falsely
implicated in the above case. He would further submit that the
defacto complainant is not an eye witness. He further stated that
the defacto complainant only came to know that the petitioner have
assaulted his father and taken a sum of Rs.12,500/- from his pocket.
Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (crl.Side) would submit that
<https://hcservices.ecourts.gov.in/hcservices/>
due to business motive the petitioner has assaulted the defacto
complainant's father and taken a sum of Rs.12,500/- from the pocket.



Hence she opposed to grant anticipatory bail to the petitioner.

5. As per the First Information Report, the defacto complainant is not an eye witnesses to the said incident and he only came to know that the petitioner herein have assaulted his father and taken a sum of Rs.12,500/- from his pocket and he has not stated any reason as to why the petitioner has assaulted the defacto complainant's father, hence this Court is inclined to grant anticipatory bail to the petitioner.

[6] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palani, Dindigul District 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:

[a] if the petitioner fails 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 for the 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/-
12/07/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE COURT, PALANI DINDIGUL DISTRICT

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE, PALANI TALUK POLICE STATION , PALANI,
DINDIGUL DISTRICT. CRIME NO. 182 OF 20194 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

+1. CC to M/S.ANANTH C.RAJESH Advocate SR.No.11734

ORDER

IN

CRL OP (MD) No.9783 of 2019

Date :12/07/2019

AAV

JM-I/VR/SAR-2/23.07.2019/3P-6C