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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/07/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.9863 of 2019

Murugesan @ Sateesh

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Sakkotai Police Station,
Sivagangai District.
Crime No. 198/2019.

... Respondent/Complainant

For Petitioner : M/s.S.Bharathi,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 198 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 294(b), 323, 341 and 506(ii) of IPC, in Crime No.198 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that there was a dispute between the petitioner's family and the defacto complainant's family, due to which, a wordy quarrel arose between them. Hence a case has been registered against the petitioner.

3.Per contra the learned Government Advocate (Criminal Side) for the respondent submitted that the petitioner abused the defacto complainant with filthy language and tried to attack him. If the petitioner is granted bail, he will do the same and create trouble to the defacto complainant. Therefore, she opposed this petition.



4. Taking into consideration of the aforesaid facts and also the fact that the dispute arose between them on account of wordy quarrel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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5. 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 cum Munsif Court, Karaikudi, 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) the petitioner shall stay at Vellore District and report before the Vellore Town Police Station daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(ii) If the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
16/07/2019

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



TO

1. THE JUDICIAL MAGISTRATE CUM MUNSIFF,
KARAIKUDI.

2. THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT

3. THE INSPECTOR OF POLICE,
SAKKOTAI POLICE STATION,
SIVAGANGAI DISTRICT.

4. THE INSEPCTOR OF POLICE,
VELLORE POLICE STATION,
VELLORE, VELLORE DISTRICT.

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

+1. CC to M/S.S.BHARATHI Advocate SR.No.11751

ORDER

IN

CRL OP(MD) No.9863 of 2019

Date :16/07/2019

das

TK/PN/SAR.4/24.07.2019/3P/7C