



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

Wednesday, the Thirty First day of July Two Thousand Thirteen

PRESENT

The Hon'ble Ms.Justice R.MALA

CRL OP(MD) No.12689 of 2013

KUMAR @ SELVAKUMAR

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
KOVILPATI EAST POLICE STATION,
THOOTHUKUDI DISTRICT,
CRIME NO.173 OF 2013.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S. PORKODI KANNAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(ii) of I.P.C., and Section 4 of TNPHW Act, in Crime No.173 of 2013 on the file of the respondent police and hence seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner was charged under Sections 294(b), 323, 506(ii) of I.P.C., and Section 4 of TNPHW Act. He further submits that the petitioner is an innocent person and he has been falsely implicated in this case and hence, he prays for enlargement on anticipatory bail.

3. The learned Government Advocate (Crl.side) would submit that the injured has already been discharged from the hospital and hence, he prays for dismissal of this application.

4. Considering the rival submissions made by both sides and also considering the fact that the injured has already been discharged from the hospital and even though, the petitioner was not arrested neither he interfered with the investigation nor absconded from the jurisdiction, I am inclined to grant anticipatory bail to the petitioner, with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.I, Kovilpatti and on 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 learned Magistrate concerned and on further condition that the petitioner shall report before the Court on the 1st day of August 2013 at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
31/07/2013

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/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,KOVILPATTI.

2.THE CHIEF JUDICIAL MAGISTRATE,TUTICORIN.

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

4.THE SUB INSPECTOR OF POLICE
KOVILPATI EAST POLICE STATION, THOOTHUKUDI DISTRICT

+1. CC to M/S. PORKODI KANNAN Advocate SR.No.38577

ORDER
IN
CRL OP(MD) No.12689 of 2013
Date :31/07/2013

RG.02.08.2013 2P/6C/