



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

Monday, the Eleventh day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.3670 of 2019

AYYARKALAI,

... PETITIONER /SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
AMBATHURAI POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.40 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR. C. MAYILVAHANARAJENDRAN 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 offence under Sections 341,294 (b), 332 and 307 of IPC in Cr.No.40 of 2017, on the file of the respondent police, seek anticipatory bail.

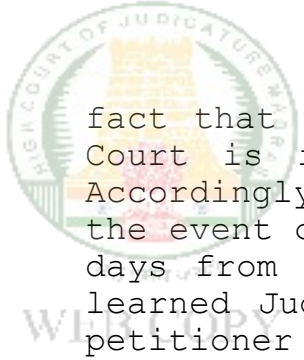
2.It is the case of the prosecution that due during Jallikattu festival the petitioner abused the defacto complainant and attacked him deadly weapons. Hence the complaint

3.The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case and he has have nothing to do with the alleged offence. He would also submit that the offence is of the year 2017, immediately thereafter First Information Report came to be registered and thereafter the respondent police did not take any action to arrest the accused. Hence he prayed for anticipatory bail

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that injured has been discharged from the hospital

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

5.Considering the facts and circumstances and considering the



fact that the injured had been discharged from the hospital , this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioners are 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 No.III, Dindigul 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 learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m.,until further orders;

(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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/03/2019

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.III,
DINDIGUL.

<https://hcservices.ecourts.gov.in/hcservices/>
2.DO THRO THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.



3. THE INSPECTOR OF POLICE,
AMBATHURAI POLICE STATION,
DINDIGUL DISTRICT.

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

+1. CC to MR. C. MAYILVAHANARAJENDRAN Advocate SR.No.4607

ORDER

IN

CRL OP (MD) No.3670 of 2019

Date :11/03/2019

AE/PN/SAR-I/13.03.2019/3P/6C