



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/03/2020

PRESENT

WEB COPY

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4249 of 2020

V.Vinoth Kumar

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Avaniyapuram Police Station,
Madurai.
Crime No.245/2020.

... Respondent/Complainant

For Petitioner : M/s.C.M.Arumugam,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory bail in Crime No.245 of 2020 on the file of
the respondent police

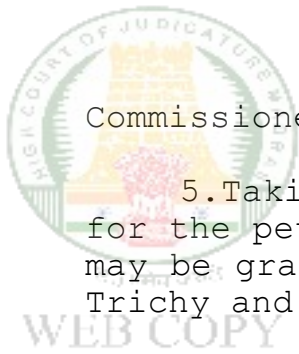
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 294(b),
323, 506(1) of I.P.C., in Crime No.245 of 2020 on the file of the
respondent police, seeks anticipatory bail.

3.The petitioner herein on 21.02.2020, when he went to petrol
bulk to fill fuel for his two wheeler, had picked quarrel with the
defacto complainant and had punched him and hit him by hand and
caused injury on the cheek of the defacto complainant. Hence, a
case has been registered against him in crime No.245 of 2020 for the
offence under Sections 294(b), 323, 506(1) of I.P.C.,

4.According to the petitioner, it was defacto complainant, who
misbehaved with him in the petrol bulk and called his friends over
phone and brutally attack him and also intimidated him with dire
consequences. The complaint given by the petitioner to the police
was not registered. Hence, he forwarded the complaint to the



Commissioner of Police on 29.02.2020.

5. Taking note of the FIR and submissions of the learned counsel for the petitioner, this Court is of the view that anticipatory bail may be granted to the petitioner on condition that he shall stay at Trichy and report before the Fort Police Station, Trichy.

4. 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 Court No.VI, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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) the petitioner and the sureties shall affix their photograph 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 Inspector of Police, Fort Police Station, Trichy, Trichy District 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/-
06/03/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO VI,
MADURAI.

2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
MADURAI.

4. THE INSPECTOR OF POLICE,
FORT POLICE STATION, TRICHY.

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

+1. CC to M/S.C.M.ARUMUGAM Advocate SR.No.4974

ORDER

IN

CRL OP(MD) No.4249 of 2020

Date : 06/03/2020

gns

TK/VR/SAR.3/12.03.2020/3P/7C