



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) . No.5362 of 2020

Ammamuthu

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Seidhunganallur Police Station,
Thoothukudi (Crime No.68 of 2020).

... Respondent/Complainant

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

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

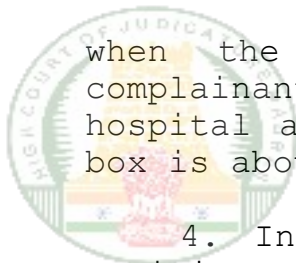
for Anticipatory Bail in Crime No.68 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 427 and 307 of IPC, in Crime No.68 of 2020, seeks anticipatory bail.

2.The petitioner herein apprehends arrest in Crime No.68 of 2020 registered based on the complaint given by one Rajakani alleging that the petitioner has damaged the meter box of Muthukumar, due to previous enmity. When the defacto complainant, questioned, the accused has attacked him with Aruval, causing injury. Hence, a case has been registered sections 294(b), 427 and 307 of IPC.

3. The learned Additional Public Prosecutor submits that during the lock down period when 144 Cr.P.C proceedings were imposed, the petitioner has attempted to damage the property of Muthukumar and



when the same is questioned, he has attacked the defacto complainant. The injured defacto complainant discharged from the hospital after getting treatment. The worth of the damaged meter box is about Rs.1,375/-.

4. In the light of the above submission, this Court grants anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest by the respondent police on executing a own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties before the learned Judicial Magistrate, Srivaikundam on or before 05.06.2020 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 deposit a sum of Rs.5000/- in Crime No.68 of 2020 before the Judicial Magistrate, Srivaikundam

(c)the petitioner shall report before the respondent police daily at 10.00 a.m until further orders.

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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;

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

sd/-
18/05/2020

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



TO

1 THE JUDICIAL MAGISTRATE,
SRIVAIAKUNDAM

2 THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
SEIDHUNGANALLUR POLICE STATION, THOOTHUKUDI.

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

ORDER

IN

CRL OP (MD) No.5362 of 2020

Date :18/05/2020

AP / SKN /SAR-2 (18.05.2020) 3P-5C