



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

Date : 03/06/2020

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PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5583 of 2020

T. Veeraian

... Petitioner/Accused-4

Vs

State rep. by
The Inspector of Police,
Vadakadu Police Station,
Pudukottai District.
(Crime No. 279 of 2020).

... Respondent/Complainant

For Petitioner : Mr. S.D.Venkateswaran,
Advocate.

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 279 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 Additional Public Prosecutor 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, 324 @ 307, 506(ii), 269 of IPC r/w Section 51 (b) of the
Disaster Management Act in Crime No.279 of 2020 on the file of the
respondent police, seeks anticipatory bail.

3. The allegation against the petitioner is that the petitioner
along with other accused assaulted the defacto complainant's son in
a group clash. The overt act against the petitioner is



that the petitioner used abuse words and also hit the defact complainant with his hands.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person working at Rajajs College, Pudukkottai. At the time of clash between the two group, he was near the scene of occurrence and he is the person infact informed the police over phone about the occurrence.

5. The learned Additional Public Prosecutor would submit that the presence of the accused and the overt act is specifically mentioned in the FIR.

6. When the petitioner approached this Court earlier, recording the statement of the learned Additional Public Prosecutor that the victim is still in hospital, this Court dismissed the anticipatory bail petition on 18.05.2020. Now it is reported that the victim is discharged from the hospital.

7. Taking note of the fact and the standing of the petitioner in the society, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 District Munsif-cum-Judicial Magistrate, Alangudi, Pudukkottai District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 said Magistrate, on further condition that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court 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 as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/06/2020

/ TRUE COPY /

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

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ALANGUDI,
PUDUKOTTAI DISTRICT.

2. DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3. THE INSPECTOR OF POLICE,
VADAKADU POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.S.D.VENKATESWARAN, Advocate (SR-5759[I] dated 04/06/2020)

ORDER
IN
CRL OP(MD) No.5583 of 2020
Date :03/06/2020

RMK

<https://hcservices.ecourts.gov.in/hcservices/> SPS/ JC/ SAR-III/ 04.06.2020/ 3P/6C