



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 24/06/2020

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PRESENT

The Hon`ble Mr.Justice RMT. TEEKAA RAMAN

CRL OP(MD). No.6520 of 2020

SATHISH @ SATHISHKUMAR

... PETITIONER/ACCUSED NO.1

VS

STATE REP. BY  
THE INSPECTOR OF POLICE,  
NATHAM POLICE STATION,  
NATHAM, DINDIGUL DISTRICT.  
CRIME NO.95/2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.P.Santhanakrishnan,  
Advocate.

For Respondent : Mr.V.Neelakandan,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime no.95 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 147, 148, 341, 294(b), 323, 324 and 307 of I.P.C., in Crime No.95 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the defacto complainant along with his wife were returning to their house on 10.03.2020 at about 03.30 a.m., the petitioner along with some other persons way laid and assaulted the defacto complainant. Hence, a complaint.



4. The learned Additional Public Prosecutor submitted that there are totally five accused in this case and the petitioner is arrayed as A1. He further submitted that the injured has been discharged and no previous case is pending against the petitioner.

5. In the view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

(i) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Court, Natham, Dindigul District, and on his executing 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;

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

(iii) The petitioner shall report before the respondent Police once in a week at 10.00 a.m., i.e., every Monday, until further orders, for interrogation.

(iv) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(v) The petitioner shall not abscond either during investigation or trial;

(vi) 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;

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

sd/-  
24/06/2020

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/ /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 JUDICIAL MAGISTRATE,  
NATHAM, DINDIGUL DISTRICT.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
DINDUGAL DISTRICT.

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

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

ORDER

IN

CRL OP(MD) No.6520 of 2020

Date :24/06/2020

IAS

JM/PN/SAR 3/25.06.2020/3P/5C