



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

Date : 02/07/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
CRL OP(MD) . No.6906 of 2020

K.Surender

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thirukogarnam North Police Station,
Thirukogarnam, Pudukottai District
Cr.No.563/2020.

... Respondent/Complainant

For Petitioner : M/s.P.Krishnaveni,
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.563 of 2020 on the file of
the respondent police

ORDER : The Court made the following order :-

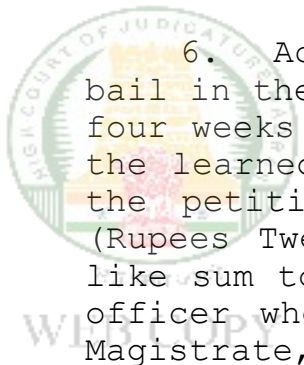
The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 294(b),
323,427, 506(ii) of IPC r/w. Section 4 of TNPHW Act seeks
anticipatory bail.

2. Due to money dispute the complaint has been foisted against
these petitioners as if he has trespassed into the house of the
defacto complainant and threatened them.

3. The learned counsel for the petitioner would submit that the
petitioner is a homeopathy doctor and he is not involved in the
crime.

4. The learned Additional Public Prosecutor would submit that
complaint was registered from the victims based on the intimation
received from the Government hospital where the defacto complainant
was taking treatment as in patient. The injured got admitted on
24.06.2020 and discharged on 25.06.2020.

5. Taking note of the facts and circumstances of the case and
also taking into consideration the fact that the injured sustained
only simply injuries, this Court is inclined to grant anticipatory
bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Pudukottai 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 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 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]**.

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

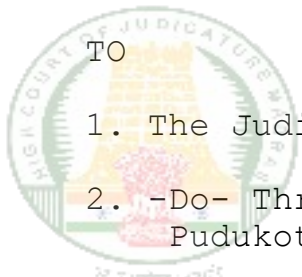
sd/-
02.07.2020

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

AAV

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 No.II, Pudukottai.
2. -Do- Through The Chief Judicial Magistrate,
Pudukottai District.
3. The Inspector of Police,
Thirukogarnam North Police Station,
Thirukogarnam, Pudukottai District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.6906 of 2020

Date : 02/07/2020

VB SKN SAR 3 (03.07.2020) 3P 5C