



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

Date : 13/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN
CRL OP(MD) . No.7332 of 2020

Vinoth

... Petitioner/Accused

Vs

The State rep by
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
Crime No.342/2020.

... Respondent/Complainant

For Petitioner : M/s.R.Subburaj,
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.342 of 2020 on the file of
the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 147,
148, 294(b), 324, 109, 307, 506(ii) and 120(b) of IPC, seeks
anticipatory bail.

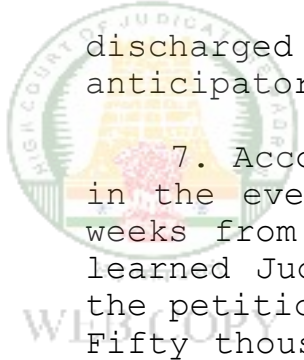
2. Heard both sides.

3.The case of the prosecution is that the defacto complainant's
brother, namely Kalidoss eloped with the daughter of A1. Due to that
motive, a quarrel was arose between them. The petitioner and the
other accused persons attacked the defacto complainant with knife
and caused injury. Hence, the complaint.

4. The learned counsel for the petitioner would submit that the
petitioner is innocent and he has been falsely implicated in this
case.

5. The learned Government Advocate (Criminal Side) would
submit that the injured person has been discharged from the hospital
and the co-accused was granted bail by this Court in Crl.O.P.(MD)
No.7131 of 2020.

6.taking into consideration the facts and circumstances of the
case and also taking note of the fact that the injured was already



discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or 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, Ramanathapuram on condition that the petitioner 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 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 as and when required for interrogation.

(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/-

13.07.2020

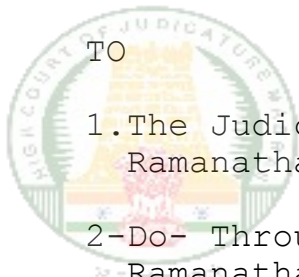
/ TRUE COPY /

/ /2020

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

das

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,
Ramanathapuram

2-Do- Through The Chief Judicial Magistrate,
Ramanathapuram District.

3.The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.7332 of 2020
Date : 13/07/2020

VB SKN SAR 2 (15.07.2020) 3P 5C