



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 16/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7433 of 2020

Thiruvvasagam

... Petitioner/Accused No.2

Vs

The State rep.by  
The Inspector of Police,  
Uchipulli Police Station, Ramanathapuram District  
(Cr.No. 342 of 2020).

... Respondent/Complainant

For Petitioner : M/s.D.Ramesh Kumar,  
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.

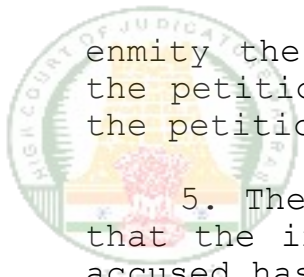
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 324, 109, 307 & 120(b) of I.P.C., in Crime No. 342 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that A1's daughter got married the defacto complainant's brother against the wish of her parents. Due to that motive the accused person said to have assaulted the defacto complainant by using with knife and wooden log and caused injuries.

4. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that due to previous



enmity the defacto complainant has preferred a false case against the petitioner. Hence, he prayed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (criminal side) would submit that the injured has been discharged from the Hospital and the co-accused has already been enlarged on bail.

6. Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the hospital and the co-accused has already been enlarged on bail, I am 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 on his appearance before the Judicial Magistrate No.II, Ramanathapuram District, and on his executing 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 learned Magistrate concerned and on further condition that,

[a] the petitioner shall report before the respondent police on when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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].

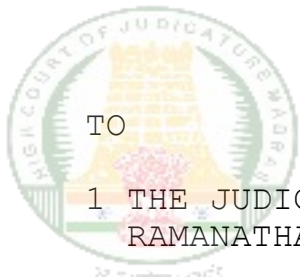
[e] If the accused/petitioner thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
16/07/2020

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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 NO.II,  
RAMANATHAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE  
UCHIPULLI POLICE STATION, RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL OP(MD) No.7433 of 2020

Date :16/07/2020

KSA

SDS/JC/SAR-3 (21.07.2020) 3P-5C