



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.7455 of 2020

Muniyasamy

... Petitioner/Sole Accused

Vs

The State rep.by

The Inspector of Police,
Sayalkudi Police Station,

Ramanathapuram District

Cr.No.277 of 2020.

... Respondent/Complainant

For Petitioner : M/s.A.K.Manickam,
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. 277 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),
324 and 506(ii) of I.P.C., in Crime No. 277 of 2020 on the file of
the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity
between the petitioner and the defacto complainant, on 06.07.2020 at
about 01.00 a.m. the petitioner scolded the defacto complainant and
attacked him with wooden knife on the right elbow and also
threatened with dire consequences. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioner and
the learned Additional Public Prosecutor appearing for the
respondent.

4. The learned counsel appearing for the petitioner submitted
since the petitioner is an innocent person and he has been falsely



implicated in this case. He further submitted that due previous enmity between the parties, this case has been registered against the petitioner. Hence, he seeks anticipatory bail.

5.The learned Additional Public Prosecutor, on instructions, submitted that the injured has already discharged from the hospital.

6.Considering the fact and circumstances of the case and submission made by the learned Additional Public Prosecutor, 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 on his appearance before the Judicial Magistrate, Kadaladi, 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 an 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

/ 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



TO

1. The Judicial Magistrate, Kadaladi.
2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.7455 of 2020

Date :16/07/2020

ksa

SDS/JC/SAR-3/20.07.2020/3P/5C