



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

Date : 23/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN
CRL OP(MD). No.7660 of 2020

Karthick

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
Cr.No. 246 of 2020.

... Respondent/Complainant

For Petitioner : Mr.D.Senthil,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.246 of 2020 on the file of
the respondent police.

ORDER : The Court made the following order :-

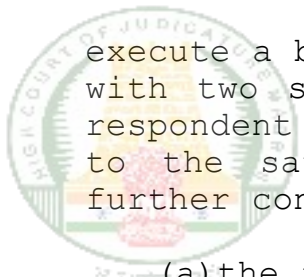
The petitioner is figuring as the sole accused in Crime No.246
of 2020, on the file of the respondent police for the offences
punishable under Sections 294(b), 324 and 506(ii) of I.P.C.

2.The allegation against the petitioner is that he is a drunken
mood quarrelling in front of a petty shop and when the same was
questioned by the de-facto complainant, the petitioner is said to
have attacked the de-facto complainant with stone and caused
injuries.

3.The learned counsel appearing for the petitioner would submit
that the petitioner is innocent and he has not committed any offence
as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the
State would submit that the injured has been discharged from the
hospital.

5.Considering the facts and circumstances of the case and also
considering the fact that the injured has already been discharged
from the hospital, this Court is inclined to grant anticipatory bail
to the petitioner with certain conditions. 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, Paramakudi, 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 petitioner/accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/07/2020

/ 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 concerned.

TO

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

ORDER IN
CRL OP(MD) No.7660 of 2020
Date : 23/07/2020