



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.8002 of 2020

VENKADESAN

... PETITIONER/ACCUSED RANK NOT KNOWN.

VS

STATE REP. BY

THE INSPECTOR OF POLICE,

NAGUDI POLICE STATION,

PUDHUKOTTAI DISTRICT.

CRIME NO. NOT KNOWN OF 2020..

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.r.shankar ganesh,
Advocate.

For Respondent : Mr.K. Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

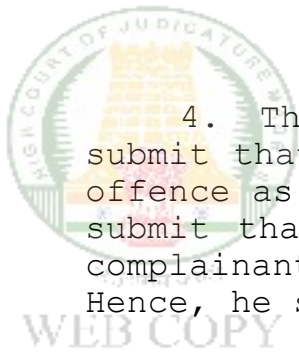
For Anticipatory Bail in Cr.No. of 2020 on the file of the respondent police.

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 & 506(ii) of I.P.C., in Crime No. Not known of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner said to have abused the defacto complainant and his family members and attacked them and also made life threat with dire consequences. Hence the complaint.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side).



4. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged in the First Information Report. He would further submit that due to civil dispute between the parties, the defacto complainant has lodged this false complaint with malafide intention. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (criminal side) appearing for the respondent police, on instructions, submitted that the injured was discharged from the hospital.

6. Considering the facts and circumstances of the case and also considering the fact that the injured has already discharged from the hospital, hence, 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 learned Judicial Magistrate, Aranthangi, Pudukkottai District, and on his executing 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 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 on 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/-
31/07/2020

/ 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,
ARANTHANGI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
NAGUDI POLICE STATION,
PUDHUKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8002 of 2020
Date :31/07/2020

ksa
JM/JC/SAR 2/04.08.2020/3P/5C