



WEB COPY

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

Date : 26/08/2020

PRESENT

**The Hon`ble Mr.Justice V.BHARATHIDASAN**

**CRL OP(MD) . No.8292 of 2020**

T.Kumar

... Petitioner/Sole Accused

Vs

State Rep.by  
The Inspector of Police,  
Palamedu Police Station,  
Madurai District.  
Crime No.1099/2020.

... Respondent/Complainant

For Petitioner : Mr.R.Selvaraj,  
Advocate.

For Respondent : Mr.M.Chandrasekaran,  
Additional Public Prosecutor

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

PRAYER :-

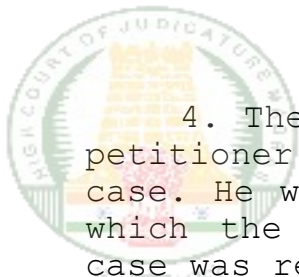
For Anticipatory Bail in Crime No. 1099 of 2020 on the file  
of the respondent police

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehend arrest at the hands  
of the respondent police for the offences punishable under Sections  
341,294(b),324 and 506(ii) of IPC, seeks anticipatory bail.

2. Heard both sides.

3.The petitioner herein was working as temporary sanitary  
worker and subsequently he terminated from service. Due to the same  
on the date of occurenece the petitioner herein abused the defacto  
complainant and also attacked him and in inturn the defacto  
complainant also attacked the petitioner and others.



4. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would also submit that it is a case and case in counter in which the defacto complainant also attacked the petitioner and a case was registered in Crime No.1098 of 2020.

5. The learned Additional Public Prosecutor would submit that it is a case and case in counter and the injured person was also discharged from the hospital.

6. Taking into consideration the facts and circumstances of the case and also taking into consideration the fact that the occurrence would have taken place in a wordy quarrel and also taking note of the fact that 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, Vadipatti, Madurai on condition that the petitioner shall execute 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 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/-  
26/08/2020

/ 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,  
VADIPATTI, MADURAI.
- 2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,  
PALAMEDU POLICE STATION,  
MADURAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.8292 of 2020  
Date :26/08/2020

AAV  
AE/PN/SAR-II (28.08.2020) 3P 5C