



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

Date : 13/10/2020

PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

**CRL OP(MD) . No.11242 of 2020**

Vengateswaran

... Petitioner/Sole Accused

Vs

The State rep.by,  
The Inspector of Police,  
Paramakudi Police Station,  
Ramanathapuram District  
Crime No.576 of 2020.

... Respondent/Complainant

For Petitioner : Mr.S.Muniyandi,  
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.576 of 2020 on the file of  
the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who is the sole accused, apprehending arrest at  
the hands of the respondent police for the offences punishable under  
sections 294(b), 324 and 506(ii) of IPC, in Crime No.576 of 2020 on  
the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity,  
there was a wordy quarrel between the petitioner and the defacto  
complainant, in which, the petitioner said to have abused the  
defacto complainant by using filthy language and attacked him with  
kathi and also caused injuries. Hence, the present complaint.

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

4.The learned counsel appearing for the petitioner submitted  
that the petitioner is an innocent person and he has not committed  
any offence as alleged by the prosecution and he has been falsely  
implicated in this case. Hence, he seek anticipatory bail.



5.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the injured person has already been discharged from the hospital.

6.Considering the facts and circumstances of the case and also considering the fact that the occurrence said to have taken place in a wordy quarrel and the injured person has already been discharged from the hospital, 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 his appearance, within a period of two 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.10,000/- (Rupees Ten 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 daily at 10.30 a.m for a period of two weeks and thereafter, 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

13/10/2020

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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,  
RAMANATHAPURAM DISTRICT
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT
- 3.THE INSPECTOR OF POLICE  
PARAMAKUDI POLICE STATION,  
RAMANATHAPURAM DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.11242 of 2020  
Date :13/10/2020

VSG  
PK/AKM/SAR-II/15.10.2020 : 3P/5C