



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

Date : 14/10/2020

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PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.11332 of 2020

R.Ganapathiraman Raju

... Petitioner/
Accused rank not known

Vs

The State rep. by
The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
(Cr No.2286 of 2020).

... Respondent/Complainant

For Petitioner : M/s.M.Sarangan,
Advocate.

For Respondent : Mrs.M.Anandha Devi,
Government Advocate (Criminal Side)

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

PRAYER :-

For an Anticipatory Bail in Crime No.2286 of 2020 on the file of the respondent police.

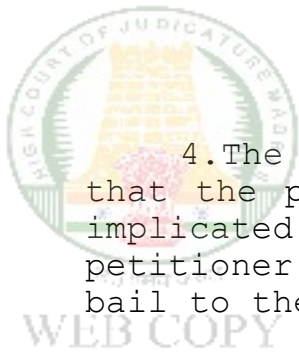
ORDER : The Court made the following order :-

The petitioner is apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324 and 506 (i) of IPC, in Crime No.2286 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to the matrimonial dispute, there was a wordy quarrel between the petitioner and the defacto complainant. The petitioner attacked the defacto complainant and criminally intimidated him. Due to which, he sustained injuries. Hence the complaint.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the

<https://hcservices.eprints.gov.in/hcservices/>



4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case due to previous enmity between the petitioner and the defacto complainant. Hence, he seeks anticipatory bail to the petitioner.

5.The learned Government Advocate (Criminal Side), on instructions, submitted that due to the matrimonial dispute, there was a wordy quarrel between the petitioner and the defacto complainant. The petitioner attacked the defacto complainant and criminally intimidated him. Due to which, he sustained only simple injury and he was treated as out patient.

6.Considering the facts and circumstances of the case and also considering the fact that the injured sustained only simple injury and he was treated as out patient, 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-No.VI, Madurai 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 his 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 his identity;

(b)the petitioner shall report before the respondent police daily at 10.30. a.m for a period of two weeks 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/-
14/10/2020

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/ /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 NO.VI,
MADURAI.
2. -DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKOTTAI POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.11332 of 2020
Date :14/10/2020

DSS
SRS/ JC/SAR-IV/ 16.10.2020/ 3P/5C