



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

Date : 16/10/2020

PRESENT

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

CRL OP(MD) . No.11531 of 2020

Anantha Kumar @ Kumar

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Natham Police Station,
Natham, Dindigul District.
(Crime No. 784/2020).

... Respondent/Complainant

For Petitioner : M/s.K.R.Badrus Zaman,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.784 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 13.09.2020 for the offences punishable under Sections 341,307 of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that on 12.09.2020 the goat of one Chellammal who is none other than the defacto complainant sister -in-law entered into the petitioner's agricultural land and damaged the plants. On seeing the same, the petitioner questioned the said Chellammal and at time when the defacto complainant came to the occurrence place to pacify the issue, due to which there was a



wordy quarrel in which the petitioner herein abused the defacto complainant and also attacked him with aruval and caused injuries.

3.The learned counsel for the petitioner would submit that absolutely there is no motive for the petitioner to attack the injured. When there was a quarrel between the petitioner and Chellammal in respect of grazing of cattle in the agricultural field the defacto complainant intercepted and he sustained injuries. He further submitted that the injured was discharged from the hospital.

4. The learned Government Advocate(Crl.Side) would submit that the injured was discharged from the hospital due to covid-19 and infact he want to undergo another operation. He would also submit that during the said quarrel the petitioner attacked the defacto complainant with aruval on his left elbow and stomach, as a result of which his intestine exposed out and the investigation is still pending.

5. It is seen that when the petitioner quarreled with the Chellammal due to grazing of cattle in the agricultural field in which the injured/defacto complainant intercepted and at time the petitioner attacked the injured with aruval and as such he sustained injuries in his stomach. Though the injured was discharged from the hospital he has to under go another operation .

6. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Natham, Dindigul District

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation.

iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.



v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
16/10/2020

/ 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,
NATHAM, DINDIGUL DISTRICT.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.
4. THE INSPECTOR OF POLICE,
NATHAM POLICE STATION,
NATHAM, DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11531 of 2020
Date : 16/10/2020

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