



WEB COPY

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

Date : 09/11/2020

PRESENT

The Hon'ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD) .No.12597 of 2020

Selvam ...Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.
Crime No.157 of 2020.

... Respondent/Complainant

For Petitioner : Mr.R.Balamurugan,
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.157 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as accused, apprehending arrest at the hands of the respondent police for the offence punishable under sections 294(b), 323, 324 and 506(ii) IPC, in Crime No.157 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioner attacked the defacto complainant with bottle. Hence, the case has been registered.

3.The learned Government Advocate(Crl.Side) would submit that there is no previous case against the petitioner. On account of certain property dispute, the parties have indulged in committing an offence of assault and simple injuries are caused.



4.Considering the facts and circumstances of the case and the petitioner is not having any previous case, this Court is inclined to grant anticipatory bail to the petitioner.

5.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, Singampunari, Sivagangai District, 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 his Aadhar card or Bank pass Book to ensure his identity;

(b)the petitioner shall report before the respondent police daily morning at 10.00 a.m., without fail, for a period of Two Weeks and thereafter 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/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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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,
SINGAMPUNARI, SIVAGANGAI DISTRICT.

<https://hcservices.sivagangai.mysir.net>



2.DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3.THE INSPECTOR OF POLICE,
S.V.MANGALAM POLICE STATION,
SIVAGANGAI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12597 of 2020
Date :09/11/2020

ias/vsd
AE/JC/SAR-III (11.11.2020) 3P 5C