



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18316 of 2021

THUKKARAJ @ DURGAIRAJ

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
MADATHUKULAM POLICE STATION,
TIRUPUR DISTRICT.
(CR.NO.543 OF 2021)

[RESPONDENT]

For Petitioner : M/S. A.SARANRAJ Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 294(b), 324, 506(2), of I.P.C, in Crime No.543 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused had entered wordy quarrel and attacked the defacto complainant. Thereby, the defacto complainant sustained injuries. Hence, the complaint was registered at the instance of the defacto complainant.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the injured discharged from the hospital.. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering that the injured person discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Learned Munsif cum Judicial Magistrate, Madathukulam, Tirupur District* on condition that the petitioners 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner shall affix his photographs and left thumb impression in the surety bond and the Court concerned 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
01/10/2021

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MADATHUKULAM, TIRUPPUR DISTRICT.

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



2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MADATHUKULAM POLICE STATION,
TIRUPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. A.SARANRAJ Advocate on payment of necessary charges

CRL OP.18316/2021

Date :01/10/2021

CSK 12/10/2021