



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Eighth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19112 of 2021

KUMARAGURU

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
THIRUMAKOTTAI POLICE STATION,  
THIRUVARUR DISTRICT.  
CR NO.389/2021.

[ RESPONDENT ]

For Petitioner : M/S.SWAMI SUBRAMANIAN Advocate

For Respondent : M/S.C.E.PRATAP, 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 for the alleged offence punishable under Sections 294(b), 324 and 506(ii) of IPC and Section 4 of TNPHW Act in Crime No.389 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to land boundary dispute between the petitioner and the defacto complainant, the petitioner abused the defacto complainant with filthy language , attacked her and her grand mother with hands and threatened them in dire consequences and also caused injuries to them. Hence, the complaint.

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

4. The learned Government Advocate (Crl.Side) submits that there was a land boundary dispute between the petitioner and the defacto complainant, the present complaint has been filed. He further submits that the injured has been discharged from the hospital. Hence, he vehemently opposed for grant of bail to the petitioner.



5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate No.II, Mannargudi, Thiruvarur 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 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 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 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 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/-  
08/10/2021

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.



1 THE JUDICIAL MAGISTRATE,  
NO.II, MANNARGUDI, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
THIRUMAKOTTAI POLICE STATION,  
THIRUVARUR DISTRICT.

+1 CC to M/S.SWAMI SUBRAMANIAN Advocate on payment of necessary  
charges SR.NO.11319

CRL OP.19112/2021

Date :08/10/2021

TA-25/10/2021