



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20114 of 2021

MARIMUTHU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
MADATHUKULAM POLICE STATION,
TIRUPPUR DISTRICT
(CRIME NO.570 OF 2021)

[RESPONDENT]

For Petitioner : M/S.R.BABU 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 for the alleged offences under Sec.294(b), 324 and 506(ii) of I.P.C, in Crime No.570 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant, there arose a wordy quarrel. It is further alleged that the petitioner abused the defacto complainant in filthy language and thereby attacked each other. Hence the complaint was registered by the Law Enforcing Agency.



3.The learned counsel appearing for the petitioner submit 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 treated as Out-patient. However, he opposed grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering that injured treated as Out-patient, 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 District Munsif cum Judicial Magistrate, Madathukulam 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 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 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-
27/10/2021

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.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
MADATHUKULAM POLICE STATION,
TIRUPPUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.BABU Advocate on payment of necessary charges
SR.NO.11973

CRL OP.20114/2021

Date :27/10/2021

JPA 12/11/2021