



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21327 of 2021

GURUMURTHY

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
KORADACHERY POLICE STATION,
TIRUVARUR DISTRICT.
CR.NO.569 OF 2021.

[RESPONDENT]

For Petitioner : M/S.N.PALANIVEL Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (CrI. Side)

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

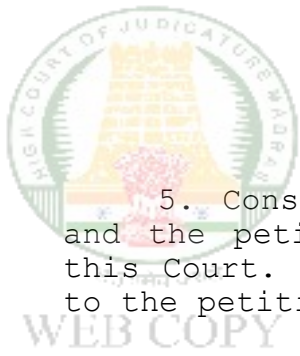
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 448, 294(b), 506(ii) of IPC in Crime No.569 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint against the petitioner, due to wordy quarrel between them, in which, the petitioner abused the defacto complainant with an unparliamentary words. Thereby, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the one of the relative of the defacto complainant teasing a girl, who is the relative of the petitioner and the petitioner went to the spot and questioned about the same, the defacto complainant instead of replying, lodged a complaint. The petitioner has not committed any offence as alleged by the prosecution and the petitioner is no way connected with the alleged occurrence. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (CrI. side) submits that investigation is almost complainant.



5. Considering the fact that investigation is almost completed and the petitioner is ready to abide the conditions as imposed by this Court. Hence, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruvarur, 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 on every Friday at 10.30 a.m., until further orders.

(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.

-sd/-

16/11/2021

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 JUDICIAL MAGISTRATE,
TIRUVARUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
KORADACHERY POLICE STATION, TIRUVARUR
DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.N.PALANIVEL Advocate on payment of necessary
charges SR.No.12903

CRL OP.21327/2021

Date :16/11/2021

APN 18/11/2021