



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/04/2021

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PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.5311 of 2021

Saravanan @ Chellaiah ... Petitioner/Accused No.8

Vs

State rep by
The Inspector of Police,
Sakkottai Police Station,
Sakkottai,
Sivagangai District.
Cr.No. 10 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Arunraj K,
Advocate.

For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.10 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as Accused No.8, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 341, 452, 323, 324, 427 and 307 of IPC, in Crime No.10 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.It is seen from the submission that the defacto complainant was scolded by the petitioner and other accused persons. Hence, the present complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that A3, 4, 5, 7 and 9 were granted anticipatory bail by this Court in Crl.O.P.



(MD).No.4062 of 2021, dated 18.03.2021 and A1 to A3, A6 to A10 were arrested and released on bail by this Court in Crl.O.P.(MD).No.1285 of 2021, dated 11.02.2021. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the injured person has been discharged from the hospital and the investigation is almost over.

5.Considering the facts and circumstances of the case and the fact that A3, 4, 5, 7 and 9 were granted anticipatory bail by this Court in Crl.O.P.(MD).No.4062 of 2021, dated 18.03.2021 and A1 to A3, A6 to A10 were arrested and released on bail by this Court in Crl.O.P.(MD).No.1285 of 2021, dated 11.02.2021 and the fact that the injured person has already been discharged from the hospital and that the investigation is almost over, 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 before the Judicial Magistrate Court, Karaikudi, within a period of fifteen days from the date of receipt of a copy of this order, on their executing 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 said Magistrate 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 Magistrate 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 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]**.

[f] If the accused/petitioner thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

16.04.2021

/ TRUE COPY /

/ /2021

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 COURT, KARAIKUDI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
SAKKOTTAI POLICE STATION, SAKKOTTAI,
SIVAGANGAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-3142[I] dated 16/04/2021)

ORDER
IN
CRL OP(MD) No.5311 of 2021

Date : 16/04/2021

VB/PN/SAR-III (21/04/2021) 3P / 6c