



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Sixth day of May Two Thousand and Twenty One
PRESENT

WEB COPY

The Hon'ble Mrs.Justice S.ANANTHI

CRL OP (MD) No.6544 of 2021

Bakkir Mydeen ... Petitioner/Accused Rank not known

Vs

The State rep.by
The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.
(Crime No.176/2021).

... Respondent/Complainant

For Petitioner : M/s. Ramu.M, Advocate.

For Respondent : Mr.A.Robinson (Crl.Side),
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.176/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 324, 506(ii) of I.P.C., r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.176 of 2021 on the file of the respondent police, seeks anticipatory bail.

3.The case of the prosecution is that on 26.04.2021, due to civil dispute, during erecting the water pipe line under the Central Government Scheme, the petitioner attacked the defacto complainant and scolded him by using filthy language. Hence the complaint.

4.The learned counsel for the petitioners would submit that the petitioner is innocent and he has been falsely implicated in this case.



5.The learned Government Advocate (Crl.Side) would submit that the injured has been discharged from the hospital on 01.05.2021.

6.Considering the facts and circumstances of the case, the fact that the injured has been discharged from the hospital and the fact that except 506 (ii) of IPC, other offences are bailable offences, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Alangudy and on his 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 learned Magistrate concerned and on further conditions 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 cards or Bank pass Books to ensure their identity;

(b)the petitioner shall report before the respondent police on every Monday 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

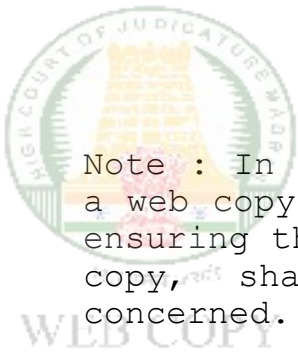
(f)if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
06/05/2021

/ 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, ALANGUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALANGUDI POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6544 of 2021
Date :06/05/2021

RMI
CSL/AKM/SAR-IV/18.05.2021 : 3P/5C