



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

Thursday, the Thirteenth day of May Two Thousand and Twenty One

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PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP (MD) .No.6606 of 2021

Vinayagamoorthy

... Petitioner/Accused No.4

Vs.

State Rep.by its
The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
Crime No.186 of 2020.

... Respondent/Complainant

For Petitioner : Mr.Arun.B.,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.186 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324, 506(ii) and 427 IPC, in Crime No.186 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that on 19.06.2020 due to election motive, the petitioner along with other accused have attacked the defacto complainant and caused injury to him and further they scolded the defacto complainant with filthy language and threatened him with dire consequences. Hence, the complaint.

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



4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that A1 to A3 already got anticipatory bail on 26.07.2020 before the Principal District Court, Ramanathapuram. Hence, he seeks anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.side) submitted that the injured person had already been discharged from the hospital and he has strongly opposed to grant anticipatory bail to the petitioner.

6.Considering the facts and circumstances of the case and also considering the fact that the injured had already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned District Munsif -Cum-Judicial Magistrate, Kadaladi, Ramanathapuram District, within a period of fifteen days from the date of receipt of a copy of this order, on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty 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 is directed to deposit a sum of Rs.500/- (Rupees Five hundred only) to the credit of IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), within a period of two weeks without prejudice to his rights and contentions before the trial Court;

[c] the petitioner shall report before the respondent police as and when required for interrogation;

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]**;



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

sd/-
13/05/2021

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/ /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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, KADALADI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
KADALADI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE BRANCH MANAGER,
IOB, SECRETARIAT BRANCH, CHENNAI-9
(ACCOUNT NO.11720 10000 00070, IFSC CODE: IOBA0001172)

ORDER
IN
CRL OP(MD) No.6606 of 2021
Date :13/05/2021

VSD
CSL/VR/SAR-IV/19.05.2021 : 3P/6C