



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/05/2021

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD).No.6794 of 2021

U.Arunachalam

... Petitioner/Accused

Vs

The State rep.by,
The Inspector of Police,
Melattur Police Station,
Thanjavur District.
Cr.No.102 of 2021.

... Respondent/Complainant

For Petitioner : Mr.T.Indrachithu,
Advocate.

For Respondent : Mr.M.Muthu Manickam
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.102 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 353, 188, 269 and 270 of IPC in Crime No.102 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.On 06.05.2021, the defacto complainant being the Block Development Officer at Ammapet Union, found overcrowding at TASMAL outlet and asked the petitioner to vacate the place. As a result, there was a wordy quarrel arose between them. Hence, this case has been registered.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been



falsely implicated in the present case and hence, he seeks anticipatory bail.

5.The learned Government Advocate (criminal side), on instructions, submitted that the investigation is pending.

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6.Considering the facts and circumstances of the case, the nature of the allegation levelled against the petitioner and in view of the COVID pandemic situation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions to the effect that the petitioner shall file an undertaking affidavit on 21.05.2021 that he will not violate the Government Orders.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest by the respondent police on executing personal bond for a sum of Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a likesum to the satisfaction of the respondent police and on further condition that the petitioner shall appear before the learned Judicial Magistrate No.III, Thanjavur, Thanjavur District, and execute a fresh personal bond for a sum of Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a likesum to the satisfaction of the concerned Judicial Magistrate, within a period of one month, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation and on further conditions that:

(a)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 appear before the respondent police, once in two weeks i.e., on 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;

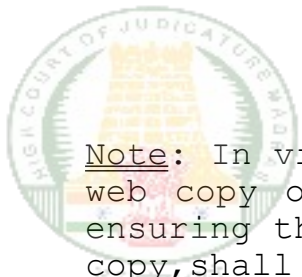
(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

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

sd/-
19/05/2021

/ 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.

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- TO
1. THE JUDICIAL MAGISTRATE NO.III, THANJAVUR,
THANJAVUR DISTRICT.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
 3. THE INSPECTOR OF POLICE,
MELATTUR POLICE STATION, THANJAVUR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6794 of 2021
Date :19/05/2021

SM
PK/MNR/SAR-III/25.05.2021 : 3P/5C