



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

Date : 08/06/2021

PRESENT

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**The Hon`ble Mr.Justice G.CHANDRASEKHARAN**

**CRL OP(MD)No.7358 of 2021**

Chinnadurai @ Karuppasamy

... Petitioner/Accused No.2

Vs

The Inspector of Police,  
Karivalam Vanthanallur Police Station,  
Tenkasi District.  
Crime No.169/2020.

... Respondent/Complainant

For Petitioner : Mr.T.Indrachithu.,  
Advocate.

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

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

PRAYER :-For Anticipatory Bail in Crime no. 169 of 2020 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 alleged offences punishable under Sections 294(b), 355, 323, 324, 506(ii) of IPC in Crime No.169 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that on 03.06.2020, at about 8.30 p.m., when the defacto complainant and his friend were standing near Saravanan petti shop, the accused, attacked him with hands and legs. All the accused criminally intimidated him. As a result of which, the defacto complainant suffered injury. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.side) submitted that the injured person has been discharged from the hospital and also submitted that the other accused persons have been arrested and thereafter, they were enlarged on bail.



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

6. It is seen from the submissions that on 03.06.2021, there was a dispute between the petitioner and the defacto complainant. Therefore, the present complaint came to be registered against the petitioner and other accused. In this case, the injured person is said to have been discharged from the hospital. Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioner.

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, Sankarankovil, Tenkasi 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 15 days, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation. On such execution of bond before the concerned Magistrate, the own bond executed before the respondent Police shall stand cancelled automatically.

(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.10,000/- **(Rupees Ten Thousand only) to the credit of Government of Tamil Nadu, CMPRF in 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 and produce the receipt/acknowledgement before the learned Judicial Magistrate, Sankarankovil, Tenkasi District.

(c) the petitioner shall report before respondent police daily at 10.30 am., until further orders.

(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]**.

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(g) If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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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,  
SANKARANKOVIL, TENKASI DISTRICT.
2. -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,  
KARIVALAM VANTHANALLUR POLICE STATION,  
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,  
CHIEF MINISTER PUBLIC RELIEF FUND,  
GOVERNMENT OF TAMIL NADU,  
SECRETARIAT, CHENNAI - 9.

ORDER

IN

CRL OP(MD) No.7358 of 2021

Date : 08/06/2021

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AE/PN/SAR-II/11.06.2021/3P/6C