



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

Date : 08/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.9005 of 2021

Sathiyagiri

... Petitioner/Accused No.1

Vs

State rep.by,
The Inspector of Police,
Srirangam Police Station,
Trichy.
(Crime.No.356 of 2021).

... Respondent/Complainant

For Petitioner : Mr.V.Nirmal Kumar,
Advocate.

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

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

PRAYER :-

For Anticipatory bail in Crime No.356 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 alleged offences punishable under Sections 294(b), 324, 427 and 506(ii) IPC in Crime No.356 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 28.03.2021, at about 20.15 hours, the defacto complainant and his friends were travelling in a car bearing registration No.TN 11 W 4081 to go to his house. He stopped his car near Ganga Sweets at Thiruvanaikovil main road. His friend Muneeswaran had gone for buying sweets and snacks. One of his friends Karthikeyan found one Sathiyagiri near HDFC ATM and informed that he is his brother's classmate. At that time, Karuppu @ Saravanan and Siva, who was with the said Sathiyagiri, told something about the defacto complainant and others to Sathiyagiri. The said Sathiyagiri came there with iron-rod, scolded them in filthy language and asked them what they were talking about him. So saying, he started to damage the car with iron-rod. When his friend



Muneeswaran prevented them, he was attacked by them on his head. The said Karuppu @ Saravanan and Siva also joined in the attack and started attacking the said Karthikeyan and caused injuries. Then, they made criminal intimidation. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is pending. However, he submitted that the injured person had been discharged from the hospital.

5.Considering the nature of the case and the fact that the injured person had been discharged from the hospital, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Srirangam, Tiruchirappalli District, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 respondent police daily at 10.30 am., 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]**.



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

sd/-
08/07/2021

WEB COPY

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SRIRANGAM, TRICHY DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3.THE INSPECTOR OF POLICE,
SRIRANGAM POLICE STATION, TRICHY.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.V.NIRMAL KUMAR, Advocate SR.No.4464

ORDER
IN
CRL OP(MD) No.9005 of 2021
Date :08/07/2021

GNS
PK/VR/SAR-II/13.07.2021 : 3P/6C