



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

Date : 26/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.13128 of 2021

WEB COPY

Karthi

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Vengamedu Police Station,
Karur District.

(Cr.No.458 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Gokulraj. S,
Advocate.

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 458 of 2021 on the file of the respondent police.

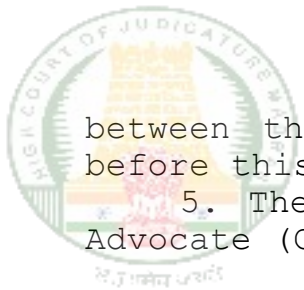
ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 323, 385 and 506(i) of IPC, in Crime No.458 of 2021, seeks anticipatory bail.

2.The defacto complainant is none other than the mother of the petitioner and she is a widow. The petitioner assaulted, threatened the defacto complainant and taken away some valuable jewels and money from her.

3.When the matter was taken up for hearing, on 13.09.2021, the learned counsel for the petitioner as well as the de-facto complainant submitted that the entire issue could be solved amicably and suggested that the matter be referred to the Mediation and Conciliation Centre. After completion of the Mediation process, the case was posted before this Court.

4.Today, When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the issue has been settled



between the parties amicably and he has filed a compromise memo before this Court to that effect.

5. The above submission is admitted by the learned Government Advocate (Crl. Side) appearing for the respondent Police.

6. Considering the facts and circumstances of the case and considering the relationship between the parties and also the fact that the issue has been settled between the parties, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this criminal original petition is allowed and 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 Judicial Magistrate Court No.1, Karur, Karur District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before respondent police as and when required.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

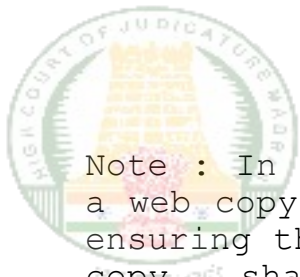
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down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

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

sd/-
26/10/2021

/ 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.

WEB COPY

TO

- 1.THE JUDICIAL MAGISTRATE COURT NO.1,
KARUR.
- 2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
- 3.THE INSPECTOR OF POLICE,
VENGAMEDU POLICE STATION,
KARUR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

Copy to

R.J.Karthick, Advocate(Mediator),
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-7470[I] dated 27/10/2021)

ORDER
IN
CRL OP(MD) No.13128 of 2021
Date :26/10/2021

RK/VR/SAR-II (16/11/2021) 3P 7C