



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

Date : 22/07/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD) . No.9661 of 2021

Malaisamy @ Malai

... Petitioner/Accused No.3

Vs

The State,
Rep. by the Inspector of Police,
Avaniyapuram Police Station,
Madurai City.
(FIR No.726/2021).

... Respondent/Complainant

For Petitioner : Mr.R.Murugappan,
Advocate.

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

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

PRAYER :-For Anticipatory Bail in Crime No.726/2021 on the file of
the Respondent Police

ORDER : The Court made the following order :-

The petitioner/3rd accused, who apprehends arrest at the hands
of the respondent police for the alleged offences punishable under
Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 of IPC in Crime
No.726 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that due to breeding
Jallikattu Bull, on 12.07.2021 at about 07.45 am., the petitioner
along with 6 other accused attacked the informant namely,
Balamurugan, S/o.Sakthivel with Aruval and caused injuries on him.
Hence, the complaint.

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

4.The learned Government Advocate (Crl.side) appearing for the
respondent submitted that the injured had been discharged from the
hospital.



5. Taking into consideration the facts and circumstances of the case that the injured had been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate Court No.VI, Madurai 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 the respondent police, daily at 10.00 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]**;

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

sd/-
22/07/2021

/ 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 NO.VI,
MADURAI.
 2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI CITY
 3. THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
MADURAI CITY.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9661 of 2021
Date : 22/07/2021

MM
RT/JC/SAR-I/26.07.2021/3P/5C