



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10932 of 2021

Tamilselvan

... Petitioner/Accused No.6

Vs

State Rep by
The Inspector of Police,
Pettaivaithalai Police Station,
Pettaivaithalai,
Trichy District
(Crime No.284/2021).

... Respondent/Complainant

For Petitioner : Mr.Arunraj K,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

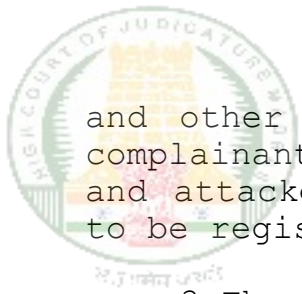
PRAYER :-

For Anticipatory Bail in Crime No. 284/2021 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 147 and 341 IPC r/w Section 3(1) TNPPDL Act, 1984 in Crime No.284 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is an 108-Ambulance driver. On 01.08.2021, he received an information that some persons were injured in a scuffle at Keelaariyampatty and went to the said place to take them to the hospital. When they reached near Mariamman temple, the petitioner



and other accused way laid the ambulance and abused the defacto complainant in filthy language. They have also damaged the ambulance and attacked the injured persons. Therefore, the present case came to be registered.

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 submitted that the petitioner and other accused have illegally restrained the driver of 108-ambulance from discharging his duty and on his complaint, the case has been registered.

5.Considering the nature of allegation levelled against the petitioner that he along with other accused damaged the ambulance, this Court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.10,000/- to the credit of crime No.284 of 2021 before the learned District Munsif Cum Judicial Magistrate Court, Srirangam, without prejudice to his rights and contentions.

6.On such deposit, 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 Court, Srirangam, 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 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 daily at 10.30 am., until further orders.

[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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

09/08/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

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
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT
- 3 THE INSPECTOR OF POLICE
PETTAIVAITHALAI POLICE STATION,
PETTAIVAITHALAI,
TRICHY DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.10932 of 2021

Date :09/08/2021

PKP/VR/SAR-3/18/08/2021/3P/5C