



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD) . No.12646 of 2021

Pilip

... Petitioner/Accused

Vs

State rep.by
The Inspector of Police,
Manapparai Police Station,
Trichirappalli District.
(Crime No.912 of 2021)

... Respondent/Complainant

For Petitioner : M/s.Kathiravan K.S., Advocate.

For Respondent : M/s.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. 912 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 294 (b), 323, 324 and 506(ii) IPC, in Crime No.912 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the wife of the petitioner availed loan from IDFC Bank, where, the defacto complainant is working as a Collection Officer. Since the petitioner's wife failed to repay the amount due, the defacto



complainant went to the petitioner's house for collection, at that time, the petitioner abused the defacto complainant in filthy language and tried to attack him with sickle. When the defacto complainant prevented him, the sickle hit on his chin and thereby, the defacto complainant sustained injuries. The petitioner also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) submits that the investigation is still pending.

5. Considering the facts and circumstances of the case and the nature of allegations levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition is ordered. The petitioner is directed 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, Manapparai, on condition that he 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 Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police as and when required for interrogation;

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

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Sd/-
07/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

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,
Manapparai.
 2. The Chief Judicial Magistrate,
Trichy District.
 3. The Inspector of Police,
Manapparai Police Station,
Trichirappalli District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1. CC to M/S.KATHIRAVAN K.S. Advocate SR.No.6050

ORDER
IN
CRL OP(MD) No.12646 of 2021
Date :07/09/2021