



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

Date : **28/09/2021**

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PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

CRL OP(MD) . No.13351 of 2021

Sathanandam, ... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
(Cr.No.989 of 2021). ... Respondent/Complainant

For Petitioner : Mr.Prasanna R.,
Advocate.

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

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

PRAYER :-

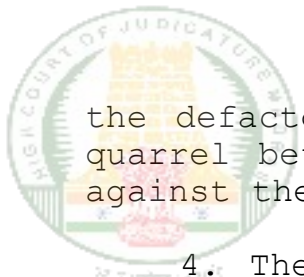
For Anticipatory Bail in Crime No. 989 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest for the offence under Sections 294(b) and 353 of IPC, in Crime No.989 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had abused the duty Nurse in the Primary Health Centre at Sillattur and attempted to assault her. On the complaint given by the duty Doctor, a case has been registered as against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner with an interest to donate Stone made Benches to the Primary Health Centre, Silattur, obtained an estimate memo. On the date of occurrence, when he approached the hospital authorities with regard to the installation of the stone benches,



the defacto complainant has ill-treated him and there was a wordy quarrel between them and therefore, a false case has been foisted against the petitioner.

4. The learned counsel for the petitioner has also relied on the estimation obtained by him to the tune of Rs.2,71,000/- for installing 10 numbers of GRFG Granite Benches at the Primary Health Centre.

5. Considering the submissions made by the learned counsel for the petitioner, on 14/09/2021, this Court granted interim anticipatory bail to the petitioner with certain directions.

6. Today when the matter is taken up for hearing, the learned counsel for the petitioner would submit that to show his *bona fide*, the petitioner has installed 10 numbers of GRFG Granite Benches at the Primary Health Centre.

7. Heard Mr. P.Kottai Chamy, the learned Government Advocate (Crl.Side).

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

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

sd/-
28/09/2021

/ TRUE COPY /

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

TTA/CSM

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, Aranthangi.
2. Do Through The Chief Judicial Magistrate, Pudukkottai.
3. The Inspector of Police, Aranthangi Police Station, Pudukkottai District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.13351 of 2021
Date : 28/09/2021

TR/VR/SAR-I(04.10.2021) 3P 5C

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