



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

Date : 17/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.13736 of 2021

Ramji @ Stalin,

... Petitioner/Accused No.1

Vs

State Rep. by
The Inspector of Police,
Musiri Police Station,
Musiri,
Trichy District.
Cr.No. 358 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Madhu J,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

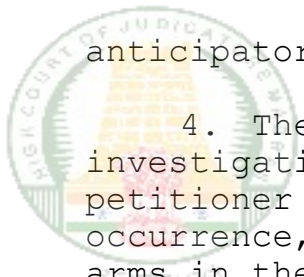
For Anticipatory Bail in Crime No.358 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the
respondent Police, for the offence punishable under Sections 279,
337 IPC r/w. 25(1A) Arms Act, 1959, in Crime No.358 of 2021, seeks
anticipatory bail.

2. Totally, there are four accused. The petitioner herein is
arrayed as A1. The case of the prosecution is that on 05.09.2021 at
4.00 p.m, when the defacto complainant was returning from Bangalore
in a Swift Car and reaching near Avoor, the petitioner, who was
proceeding from Trichy to Bangalore, drove his Maruthi Van in a rash
and negligent manner and dashed against the Swift Car and due to the
said impact, the defacto complainant sustained injury.

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. He further submits that in the said
accident, the petitioner also sustained severe injuries and he was
admitted in the Government Hospital, Trichy and was taking treatment
as inpatient. He further submits that the petitioner did not carry
any weapons in his vehicle. Therefore, he prayed for grant of



anticipatory bail.

4. The learned Additional Public Prosecutor submits that the investigation is yet to be completed. He further submits that the petitioner is not having any adverse antecedent and at the time of occurrence, the petitioner and other accused were in possession of arms in the vehicle.

5. Considering the facts and circumstances of the case, the nature of allegations against the petitioner and the antecedent of 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, Musiri, 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 Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. 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 is 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/-
17/09/2021

/ 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.

TO

WEB COPY

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

ORDER IN
CRL OP(MD) No.13736 of 2021
Date :17/09/2021

SB/SKN/SAR-III/23.09.2021/3P/5C