



WEB COPY

CRL OP(MD). No.16344 of 2021

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

Date : 26/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.16344 of 2021

Karthik

... Petitioner / Sole Accused

Vs

State Through
The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.
(Crime No.95 of 2021)

... Respondent / Complainant

For Petitioner : M/s.Prabu M,
Advocate.

For Respondent : Mr.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.95 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 294(b) and 506(ii) IPC in Crime No.95 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours. Due to money dispute, the petitioner, in a drunken mood, abused the defacto complainant in filthy language and 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 to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the investigation is yet to be completed. He further submits that



the petitioner is not having any previous case and no one has been injured in this case.

5. Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner and also the fact that the petitioner is not having any previous case and no one has been injured in this case, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed. 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, Singampunari, Sivagangai District, 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 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]**; and

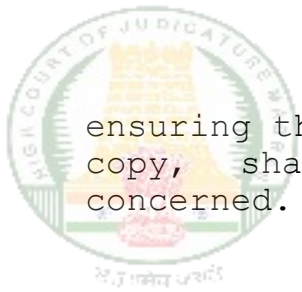
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
26/10/2021

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

OGY



CRL OP(MD) . No.16344 of 2021

ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

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

ORDER IN
CRL OP(MD) No.16344 of 2021
Date :26/10/2021

SB/VR/SAR-III/29.10.2021/3P/5C