



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 02/11/2021

PRESENT

**The Hon`ble Mr.Justice B.PUGALENDHI**  
CRL OP(MD). No.17068 of 2021

WEB COPY

B.Thandeeswaran

... Petitioner/Accused No.2

Vs

State Rep.by  
The Inspector of Police,  
Mallanginaru Police Station,  
Virudhunagar District.  
Cr. No. 69 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Maharajan V,  
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.69 of 2021 on the file of the  
Respondent Police.

ORDER : The Court made the following order :-

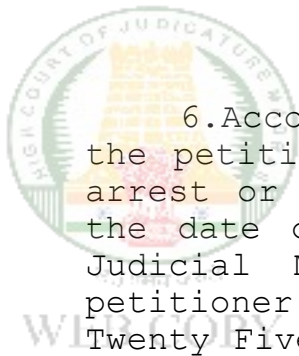
The petitioner, who apprehends arrest at the hands of the  
respondent police for the alleged offences punishable under Sections  
294(b), 307 and 506(ii) of IPC in Crime No.69 of 2021, seeks  
anticipatory bail.

2.The case of the prosecution is that on 16.06.2021 at about  
02.15 p.m., due to previous enmity, the petitioner attempted to  
murder the defacto complainant. 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 Additional Public Prosecutor appearing for the  
respondent police submitted that no one has been injured in the  
occurrence.

5.Considering the facts and circumstances of the case, the  
nature of allegation levelled against the petitioner, and also the  
fact that no one has been injured in the occurrence, this Court is  
inclined to grant anticipatory bail to the petitioner.



6. 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 No.I, Virudhunagar, 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 the 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
02/11/2021

/ 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.

<https://hcservices.ecourts.gov.in/hcservices/>



TO

1.The Judicial Magistrate No.I,  
Virudhunagar.

2.DO THROUGH The Chief Judicial Magistrate,  
Virudhunagar.

3.The Inspector of Police,  
Mallanginaru Police Station,  
Virudhunagar District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER

IN

CRL OP(MD) No.17068 of 2021

Date :02/11/2021

**RS/PN/SAR1 (11.11.2021) 3P 5C**