



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

Date : 15/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.17700 of 2021

Sasi Kumar

... Petitioner/5th Accused

Vs

The State Rep. by
The Inspector of Police,
Aravayal Police Station,
Sivagangai District.
(Crime.No. 123 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Muniyandi S,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.123 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

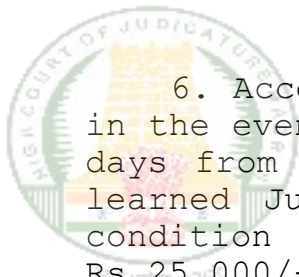
The petitioner/A5, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 147,
294(b), 323, 341 and 506(i), in Crime No. 123 of 2021, seeks
anticipatory bail.

2.The case of the prosecution is that due to previous enmity
between the parties, the petitioner threatened the defacto
complainant by scolding in filthy language and also attacked him.
Hence, the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is an innocent person and he has not committed any
offence as alleged by the prosecution. He would also submit that
injured was discharged from the hospital.

4.The learned Government Advocate(Crl.Side) would submit that
the petitioner is not having any previous case and the injured was
discharged from the hospital.

5.Considering the facts that there existed previous enmity
between the parties and that the injured was discharged from the
hospital, this Court is inclined to grant anticipatory bail to the
petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Devakkottai, 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 respondent Police or to the Police Officer, who intends to arrest or 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 daily at 10.30 am for a period of one month and thereafter, 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

15/11/2021

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/ /2021

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

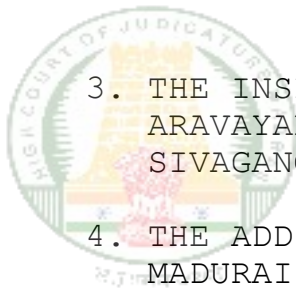
Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
DEVAKKOTTAI, SIVAGANGAI DISTRICT.

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

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.



3. THE INSPECTOR OF POLICE,
ARAVAYAL POLICE STATION,
SIVAGANGAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

+1. CC to M/S.MUNIYANDI S, Advocate (SR.No.8080)

ORDER

IN

CRL OP(MD) No.17700 of 2021

Date :15/11/2021

MGJ/VR/SAR II(19.11.2021) 3P 6C