



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

Date : 23/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.18276 of 2021

Veeraperumal : Petitioner/ Accused No.2

Vs

State represented by
The Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi District.
(Crime No.188/2021).

... Respondent/Complainant

For Petitioner : Mr.P.M.Vishnuvarthanan
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.188/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 385, 323, 324 and 506(ii) of IPC in Crime No.188 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working in a petrol bunk, where the petitioner and other accused had attempted to snatch the cash bag of the defacto complainant. In this incident, A3, A4 and A5 had assaulted the defacto complainant and A1 had made a life threat to the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and there was a wordy quarrel between the petitioner and the defacto complainant and a false case has been filed against the petitioner and other accused.



4.The learned Government Advocate(Crl.Side) would submit that injured was discharged from the hospital and no previous case has been filed against the petitioner herein.

5.Considering the nature of the charges levelled against the petitioner and also the fact that the injured was discharged from the hospital and that except the offence under Section 506(ii) of IPC, all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 No.II, Kovilpatti, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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/-

23/11/2021

/ 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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
PASUVANTHANAI POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-8458[I] dated 24/11/2021)

ORDER

IN

CRL OP(MD) No.18276 of 2021

Date :23/11/2021

PNN

MS/VR/SAR-4/29.11.2021/3P.6C