



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

Date : 06/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19261 of 2021

Arun

... Petitioner/ Petitioner/
Accused No.1

Vs

The Inspector of Police,
Vathalai Police Station,
Trichy District.
(Crime No.351 of 2021)

... Respondent/ Respondent/
Complainant

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

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

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

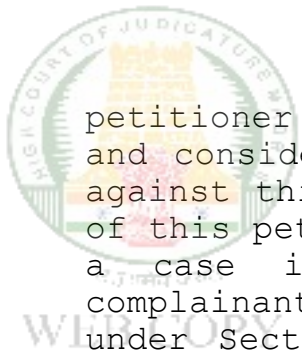
PRAYER :- For Anticipatory Bail in Crime No.351 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 506(ii), 379 of IPC and Section 3 of Tamilnadu Public Property (Prevention of Damage & Loss), in Crime No.351 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 03.11.2021, when the defacto complainant and his friends were standing near Kodunthurai junction, the petitioners had abused them in filthy language and threatened with dire consequences. Further the petitioner also caused damages to the bike of the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner has not committed any offence as alleged by the prosecution. He would further submit that this is the



petitioner along with other accused in Crl.O.P(MD) No.17617 of 2021 and considering the seriousness and gravity of the offence alleged against this petitioner, this Court dismissed the anticipatory bail of this petitioner alone on 15.11.2021. He would further submit that a case in counter has been registered against the defacto complainant in Crime No.351 of 2021 for the offences punishable under Sections 294(b), 324, 506(ii), 379 of IPC and Section 3 of Tamilnadu Public Property (Prevention of Damage & Loss).

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit this petitioner is arrayed as the second accused in a case registered in Crime No.3 of 2021 in Jeeyarpuram All Women Police Station under POCSO Act. The defacto complainant of this case, is the witness in that case and due to that, the petitioner along with others had abused the defacto complainant in filthy language, attacked him and caused criminal intimidation.

5.Considering the facts and circumstances of this case, the nature of allegation levelled against the petitioner and also of the fact that this Court had granted anticipatory bail to the co-accused, 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, before the learned Judicial Magistrate, Musiri, Trichy District, and on his executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
06/12/2021

/ 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



TO

1 THE JUDICIAL MAGISTRATE,
MUSIRI, TRICHY DISTRICT.

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

3 THE INSPECTOR OF POLICE,
VATHALAI POLICE STATION,
TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.19261 of 2021

Date :06/12/2021

TTA

MS/JC/SAR-3/21.12.2021/3P.5C