



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19648 of 2021

Karthik,

... Petitioner/Accused Rank Not Known

Vs

The State Rep. by,
The Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
(Crime No.357/2021).

... Respondent/Complainant

For Petitioner : Mr.S.Poornachandran, Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 357 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b) and 307 IPC, in Crime No.357 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 17.11.2021, at about 01.30PM, two unidentified persons in a two wheeler waylaid the *defacto* complainant, abused and assaulted him by using iron rod, in which, he sustained injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and not committed any offence as alleged by the prosecution. Co-accused were already enlarged on bail, on the ground that their identity were not verified during the course of



investigation and this petitioner is also suspecting that he is going to be included in the crime. Hence, prays to release him on anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that he got instructions with regard to the involvement of the petitioner in this crime and according to the call details, before the time of occurrence, this petitioner called the victim and asked him to come to the occurrence spot. Based on the invitation of the petitioner, the victim went to the spot and occurrence took place. As the investigation goes on, identity could not be verified. Even though the injured was discharged, he was not in a position to recollect the events. The investigation is not yet completed.

5.Considering the nature of charges levelled against the petitioner, that the suspected co-accused were released on bail by this Court in Crl.OP(MD)No.18623 of 2021 on 02.12.2021, 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, before the learned Judicial Magistrate No.II, Sattur 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 daily at 10.30 am until further orders and co-operate with the investigation. 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/-

21/12/2021

/ TRUE COPY /

/ /2022

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

PNM

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 NO.II,
SATTUR.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
VEMBAKKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.19648 of 2021
Date :21/12/2021

PKP/PN/SAR-1/05.01.2022/3P/5C