



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021
PRESENT

WEB COPY

The Hon'ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21137 of 2021

Abdul Salam

... Petitioner/
Accused No Not Known

Vs

The State Rep.by
The Inspector of Police,
Kottar Police Station,
Nagercoil.
(Crime No.919/2021).

... Respondent/Complainant

For Petitioner : M/s.K.M.MOHAMMED ALI
Advocate.

For Respondent : Mr.K.SANJAI GANDHI
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.919/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 324 and 506(ii) I.P.C, in Crime No.919 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that a dispute arose between the defacto complainant and the accused persons in the hotel running by the petitioner. The petitioner and his friends are said to have assaulted and threatened the defacto complainant with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that injured in this case has been discharged from the hospital. No previous case has been filed against the petitioner herein.

5. Considering the nature of offence, the overt act attributed against the petitioner, the injured person has been discharged from



the hospital, the fact that no previous case is pending against the petitioner and also the fact that except Section 506(ii) of IPC, all the other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Nagercoil, on condition that the petitioner shall execute 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 a.m., for a period of 30 days and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
29/12/2021

/ 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 concerned.

TO

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

+1 cc to Mr.K.M.MOHAMMED ALI Advocate, SR.No.40524 (F)

ORDER IN

CRL OP(MD) No.21137 of 2021
Date :29/12/2021

pnn

SA/VR/SAR.4/31.12.2021/2P/6C

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