



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.1097 of 2022

Manimaran

...Petitioner

Vs.

The State Represented by
The Inspector of Police,
Podanur Police Station.
(Crime No.1045 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in crime No.1045 of 2021, on the file of the respondent Police.

For Petitioner : Mr.J.Dinesh

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 448, 294(b), 324, 307 and 506(ii) of IPC, in Cr.No.1045 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a Auto Tinkering Workshop near Naicker Kallukuli at Ranganathapuram, Coimbatore. A1-Vijayakumar is living near the house of the defacto complainant. A1 was already arrested and remanded to judicial custody in connection with kanja case and the Accused/A3 and A9 were detained under Goondas Act. The Accused/A2, A3, A5, A6, A8 were already arrested and released on bail and this petitioner is ranked as A4.

3. The further case of the prosecution is that the accused persons came in an auto, two numbers of two wheelers and picked up quarrel with the defacto complainant and abused the defacto complainant by using filthy language and attacked the defacto



complainant by using deadly weapons like Aruval and knife and caused injuries to the defacto complainant. Hence, the complaint.

4.The learned counsel appearing for the petitioner submits that the co-accused was arrested and released on bail. The petitioner further submits that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

5.The learned Additional Public Prosecutor submits that the Co-accused has been arrested and released on bail and the investigation is almost completed.

6. Considering the facts and circumstances of the case and also the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned District Munsif cum Judicial Magistrate, Madukarai, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 every Tuesday at 10.30 a.m., for a period of four weeks and thereafter as and when required for an 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 has 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.

WEB COPY

-sd/-
20/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MADUKARAI.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PODANUR POLICE STATION,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.DINESH KUMAR Advocate on payment of necessary charges SR.No.1065

CRL OP.1097/2022

Date :20/01/2022

CSK 25/01/2022