



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM:

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

Crl.O.P.No.3353 of 2022

Mathanthas @ Mathan @ Vellaimathan

...Petitioner

Vs.

The State Represented by
The Inspector of Police,
Veerapandi Police Station,
Tiruppur District.
(Crime No.1195 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.1195 of 2021, on the file of the respondent Police.

For Petitioner : Mr.S.P. Meenakshi Sundaram

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences under section 120(B), 147, 148, 307, 323, 324, 364, 506(ii) of IPC, in Crime No.1195 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners attacked the defacto complainant using knife and iron rod. Thereby the defacto complainant sustained severe injuries. Thereby the defacto complainant lodged a complaint against the petitioners.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he is no way connected in this case. He has been falsely implicated in this case. He further submitted that the co-accused also released on bail. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.side) raised objection stating that petitioner is having previous case but the investigation almost completed and the victim also discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and the investigation almost completed and the co-accused also released on bail, 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 on her 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 Judicial Magistrate Court -No.IV, Tiruppur, 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 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 on every Tuesday and Sunday at 10.30 a.m., for a period of three months 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 is 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/-

03/03/2022

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 JUDICIAL MAGISTRATE-IV,
TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.P.MEENAKSHI SUNDARAM Advocate on payment of necessary charges SR.No.3446

CRL OP.3353/2022

Date :03/03/2022

CSK 08/03/2022