



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Seventh day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2537 of 2022

M.SANJAY

[PETITIONER / ACCUSED]

Vs

[RESPONDENT]

STATE REP BY
THE INSPECTOR OF POLICE,
THIRUVARUR TALUK POLICE STATION,
THIRUVARUR DISTRICT,
CRIME. NO.955 OF 2022.

For Petitioner : P.MUTHAMIZHSELVAKUMAR Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 341, 294(b), 324 r/w 307 of IPC in Crime No.955 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 30.12.2021 the petitioner along with other accused persons had abused the defacto complainant's husband by using filthy language, assaulted him and caused stab injuries. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offences as alleged by the prosecution. He further submitted that he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent submits that petitioner along with other accused persons had abused the defacto complainant's husband using filthy language, assaulted him and caused stab injuries and there is no previous case pending against this petitioner and also submitted that investigation almost completed. However, he opposed grant of anticipatory bail to the petitioner.



5. In view of the above submissions made by the learned Counsels appearing for either sides, this Court is inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Thiruvavur 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 and on further condition that:

(a) the petitioner and the sureties shall affix his 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 daily at 10.30 a.m., for the period of 15 days.

(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 have 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.

-sd/-

07/02/2022

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 COURT,
THIRUVARUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVARUR DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
THIRUVARUR TALUK POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to P.MUTHAMIZHSELVAKUMAR Advocate on payment of necessary
charges

CRL OP.2537/2022

Date :07/02/2022

INBA~15/02/2022