



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Second day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4895 of 2022

P.MURUGESAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
KORADACHERY POLICE STATION,
TIRUVARUR DISTRICT.
CRIME NO.521 OF 2021

[RESPONDENT]

For Petitioner : M/S.J.NANDAGOPAL Advocate

For Respondent : M/S.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 apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 324 & 506(ii) of IPC in Crime No.521 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 23.09.2021 at about 3.15 p.m., the defacto complainant and his wife Rani were drying the paddy at DPC centre, at that time, the petitioner scolded the defacto complainant and attacked the defacto complainant and his wife, threatened them with dire consequences, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has falsely implicated in this case. Hence he prays for anticipatory bail and he is ready to abide any conditions.



4. The learned Government Advocate (Crl.Side) has submitted that the victim sustained injury and the victim discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances, the victim 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 on his appearance, within a period of seven 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.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before the Tanjavur Town police Station for a period of 30 days daily at 04.30 p.m. Until further order;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

02/03/2022

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,
THIRUVARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
KORADACHERY POLICE STATION,
TIRUVARUR DISTRICT.

4 THE OFFICER INCHARGE,
TANJAVUR TOWN POLICE STATION, TANJAVUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.J.NANDAGOPAL Advocate on payment of necessary charges SR.NO. 3201

CRL OP.4895/2022

Date :02/03/2022

RW 09/03/2022