



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5096 of 2022

VARADARAJ

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ANNADHANAPATTY POLICE STATION,
ANNADHANAPATTY,
SALEM DISTRICT.
CRIME NO.37/2022.

[RESPONDENT]

For Petitioner : M/S. K.G.SENTHIL KUMAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest in Crime No.37 of 2022 on the file of the respondent police for the offences punishable under Sections 341, 294(b), 323 and 307 of IPC, based on the complaint given by one Tamaraiselvan, is before this Court seeking anticipatory bail.

2. On perusal of the First Information Report indicates that on 24.01.2022, one Sathish along with other accused including the petitioner herein had picked quarrel with the defacto complainant, regarding the intimacy of the defacto complainant's wife with the said Sathish. In the course of altercation, Sathish, who is the first accused in this case has stabbed the defacto complainant in his stomach. No overtact has been attributed against the petitioner herein, who is arrayed as A2.

3. The learned Government Advocate (CrI. Side) says that the victim discharged from the hospital on 31.01.2022 and this petitioner is aged about 60 years, against him no overtact has been attributed, except using abusive language.



4. In view of the above fact, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 learned **Judicial Magistrate No.IV, Salem**, 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, failing which, the anticipatory bail shall stand cancelled 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 Investigating Officer as and when required.

(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/-
04/03/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.IV, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
ANNADHANAPATTY POLICE STATION,
ANNADHANAPATTY,
SALEM DISTRICT.

+1 CC to M/S. K.G.SENTHIL KUMAR Advocate on payment of
necessary charges SR.NO.3363

CRL OP.5096/2022

Date :04/03/2022

TA-15/03/2022