



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

Friday, the Twenty Fifth day of March Two Thousand Twenty Two

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PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.6948 of 2022

STEPHEN RAJ

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMIL NADU
INSPECTOR OF POLICE,
PALLIPALAYAM POLICE STATION,
PALLIPALAYAM,
NAMAKKAL DISTRICT
CRIME NO.15 OF 2022

[RESPONDENT]

For Petitioner : M/S JOSEPH NIHAL RAVEL Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 323, 506(2) and 341 of IPC in Crime No.15 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side).

3. The F.I.R. indicates that since the accused has spoken ill about the defacto complainant's wife, wordy quarrel has erupted leading to attack of the defacto complainant by the first accused with knife, while A2 and A3 caught hold of the defacto complainant. The defacto complainant has sustained cut injury over forehead and treated for the same and got discharged. The incident took place on 08.01.2022. F.I.R. was registered on the next day for the offences under Sections 294(b), 323, 324, 506(ii) and 341 of IPC.

4. The learned counsel for the petitioner submits that in the course of the wordy quarrel, due to provocation, altercation took place. The petitioner is ready to abide by any condition.



4. Considering the nature of the crime and the circumstances, under which the crime has been committed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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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, Kumarapalayam, 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 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m. until further orders;

(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.

-sd/-

25/03/2022

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,
KUMARAPALAYAM

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL (FOR INFORMATION)

3 INSPECTOR OF POLICE,
PALLIPALAYAM POLICE STATION,
NAMAKKAL DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S REVATHI MANIVANNAN Advocate on payment of necessary
charges Sr.4519

CRL OP.6948/2022

Date :25/03/2022

RVR 29/03/2022