



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Ninth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.10129 of 2022

D.RAJU @ RAJI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
TIRUVARUR TOWN POLICE STATION,
TIRUVARUR DISTRICT.
CRIME NO. 127 OF 2022.

[RESPONDENT]

For Petitioner : M/S. P. MUTHAMIZH SELVAKUMAR 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 for the alleged offence under Sections 294(b), 324, 506(ii) of IPC in Crime No.127 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehends arrest on a complaint registered on 12.03.2022 for alleged attack with beer bottle in a bar, when two groups clashed.

3. The learned counsel for the petitioner states that FIR does not disclose any fraud act of the petitioner and further co-accused enlarged on bail.

4. In view of the fact that earlier anticipatory bail petition was dismissed as withdrawn on 31.03.2022 and considering the change of circumstances, this Court is inclined to grant anticipatory bail to the petitioner.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 Court, Thiruvarur on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 am 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/-

29/04/2022

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
THIRUVARUR DISTRICT. [FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. P. MUTHAMIZH SELVAKUMAR Advocate on payment of
necessary charges

CRL OP.10129/2022

Date :29/04/2022

RW 06/05/2022