



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

Tuesday, the Twenty Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN  
CRIMINAL ORIGINAL PETITION No.9499 of 2022

R.SELVAKUMAR

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP.BY  
INSPECTOR OF POLICE,  
SULTHANPETTAI POLICE STATION,  
COIMBATORE DISTRICT.  
CR.NO. 58/2021.

[ RESPONDENT ]

For Petitioner : M/S. S.BHARANIDHARAN 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, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 448 & 307 of IPC and Section 4 of TN Prohibition of Women Harassment Act, 2002 in Crime No.58 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein is one of the accused in Crime No.58 of 2022 dated 08.02.2022. The First Information Report indicates that on 07.02.2022, there was a quarrel between one Kesavan and Marimuthu. As a follow up, the family members of Marimuthu had gone to the house of Kesavan and attacked Kesavan on 07.02.2022 at about 19:00 hrs, in which, the said Kesavan has sustained severe injury and died later. As a retaliation to this incident, this petitioner along with other accused had gone to the house of the Marimuthu and attacked the de facto complainant and her mother-in-law.



3. The learned counsel for the petitioner would submit that this petitioner has lost his father due to the violence caused by the family members of the de facto complainant and there is a case in counter. The alleged injury on the de facto complainant and mother-in-law are simple in nature and the complaint has been filed for embellishment in order to get rid of the criminality of causing the death of Kesavan, the father of the petitioner.

4. Considering the wound certificate and discharge summary, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 Judge, Coimbatore, 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) 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 stay at Karur and report before the Inspector of Police, Karur Police Station daily at 10.30 a.m. for 30 days and thereafter before the respondent Police as and when required, until further orders;

(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.

-sd/-

26/04/2022

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,  
COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE  
COIMBATORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,  
SULTHANPETTAI POLICE STATION,  
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,  
KARUR POLICE STATION, KARUR

CC to M/S. B.MOHAN Advocate on payment of necessary charges

CRL OP.9499/2022

Date :26/04/2022

RVR 05/05/2022