



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twentieth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8905 of 2022

R.NANDHAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KARIMANGALAM POLICE STATION,
DHARMAPURI,
CRIME NO.106 OF 2022.

[RESPONDENT]

For Petitioner : M/S.C.VIGNESWARAN Advocate

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

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 332, 341, 353, 506(i) of IPC in Crime No.106 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehending arrest on an alleged complaint given by the Executive Officer of the Karimangalam Municipality alleging that the petitioner along with three others picked up a quarrel and slapped him.

3. The learned counsel for the petitioner submits that the petitioner along with others were present in the karimangalam town panchayat to participate in the auction for the road side Tamarind seed collection and harvest of fish in the lake owned by the panchayat. He further submits that instead of conducting the auction process at 11.a.m., as scheduled in the auction notice, the officials delayed the process awaiting someone else to come and manipulate the auction process and when the same was questioned by the petitioner



herein, the de facto complainant abused them and given a false complaint so that the petitioner herein may be prevented in the auction process.

4. Considering the nature of the complaint and the injuries sustained by the de facto complainant, 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, Palacode 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 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 as and when required for interrogation;

(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/-

20/04/2022

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,
PALACODE.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
KARIMANGALAM POLICE STATION,
DHARMAPURI,

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.VIGNESWARAN Advocate on payment of necessary
charges SR.NO.5892

CRL OP.8905/2022

Date :20/04/2022

JPA 25/04/2022