



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9911 of 2022

SARAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
MADATHUKULAM POLICE STATION,
TIRUPPUR DISTRICT
(CRIME NO.93/2022)

[RESPONDENT]

For Petitioner : D.R.ARUN KUMAR 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 herein apprehends arrest by the respondent police for the alleged offence punishable under Sections 294(b), 323, 506 (ii) of IPC and under Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.93 of 2022 on the file of the respondent police seeks anticipatory bail.

2. The petitioner herein along with others have gone to the house of the defacto complainant and attacked three of the defacto complainant's family members. This quarrel aroused due to the love affair between the A1's grand daughter and Saran/petitioner. It appears that the son of A1 died and therefore, there was an enmity between the defacto complainant's family and the accused family. The previous anticipatory bail came up for consideration, some of the injured victims were not discharge from the hospital and hence the petition was dismissed.



3. Today, the learned counsel for the petitioner has furnished the discharge summary of the injured victims.

4. Considering the fact that there is a change in circumstances, this Court is inclined to grant anticipatory bail with certain conditions:

5. Accordingly, the petitioner is ordered to be released on anticipatory 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, Madathukulam, 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 learned Magistrate concerned and on further conditions 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 Salem and report before the Salem Town Police Station, Salem daily at 10.30 a.m., 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 is 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.

WEB COPY

-sd/-
28/04/2022

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,
MADATHUKULAM, TIRUPPUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MADATHUKULAM POLICE STATION,
TIRUPPUR DISTRICT.

4 THE OFFICER INCHARGE,
SALEM TOWN POLICE STATION, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to D.R.ARUN KUMAR Advocate on payment of necessary charges
SR.NO. 6555

CRL OP.9911/2022

Date :28/04/2022

RW 05/05/2022