



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.10774 of 2022

PAVIN

[PETITIONER / ACCUSED]

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ANAMALAI STATION,
COIMBATHUR
CRIME NO.321 OF 2022

[RESPONDENT]

For Petitioner : M/S.T.V.G.KARTHEEBAN Advocate

For Respondent : MR.S.UDAYA KUMAR, 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 offences under Sections 294(b), 323, 324, 506(2) I.P.C. in Crime No.321 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner states that on 01.04.2022, there was physical altercation between the petitioner family members and the defacto complainant family members leading to case and case in counter. While a case has been registered against the petitioner in Crime No.321/2022 for the offences under Sections 294(b), 323, 324 and 506(ii) I.P.C., based on the complaint given by the petitioner herein, Crime No.322/2019 has been registered for the offence under sections 294(b) and 324 I.P.C. as against one Loganathan and others. The petitioner herein sustained injury and he was hospitalized. Therefore, the petitioner seeks anticipatory bail.

3. On perusing the CD file, this Court finds that pendency of the complaint was not brought to the notice of this Court, when earlier anticipatory bail petition was dismissed on 22.04.2022.



4. Taking into consideration the new facts brought to the notice of this Court as change in circumstances, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.I, Pollachi, 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 conditions 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 as and when required;

(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/-
16/06/2022

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,
NO.1, POLLACHI

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANAMALAI STATION,
COIMBATORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.V.G.KARTHEEBAN Advocate on payment of necessary
charges SR.NO.9324

CRL OP.10774/2022

Date :16/06/2022

JPA 20/06/2022