



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRIMINAL ORIGINAL PETITION No.10803 of 2022

THENNARASU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
TIRUPPUR SOUTH POLICE STATION,
TIRUPPUR DISTRICT
CRIME NO.209 OF 2022

[RESPONDENT]

For Petitioner : M/S.T.SHUNMUGARAJESWARAN Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

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 offences punishable under Sections 294(b), 324 and 506(ii) of IPC altered into Sections 294(b), 307 and 506(ii) of IPC, in Crime No.209 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the petitioner and the de-facto complainant, the petitioner and other accused have assaulted the defacto complainant by using iron rod and thereby caused injuries to him. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this offence. He would further submit that similarly placed co-accused have already been released on bail. On instructions, he would further submit that the petitioner without prejudice to his



contentions, is ready and willing to pay a sum of Rs.10,000/- to any public organisation. Therefore, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that the co-accused have already been released on bail and also submitted that the injured has also been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5.Taking into consideration, the facts and circumstances of the case and also the fact the injured has also been discharged from the hospital and the petitioner has come forward to pay a sum of of Rs.10,000/- to any public organisation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) to the Government Yoga and Naturopathy Medical College and Hospital, Arignar Anna Government Hospital of Indian Medicine Campus, Arumbakkam, Near Anna Arch, Chennai - 600 106 and produce the receipt/acknowledgment before the learned Judicial Magistrate No.II, Tiruppur. The amount paid by the petitioner shall be utilized by the Medical College & Hospital for research activities in Naturopathy.

7.On production of the receipt or acknowledgement for such payment, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Tiruppur, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and their sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

01/06/2022

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.II, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
THE GOVERNMENT YOGA AND NATUROPATHY MEDICAL
COLLEGE AND HOSPITAL, ARIGNAR ANNA
GOVERNMENT HOSPITAL OF INDIAN MEDICINE
CAMPUS, ARUMBAKKAM, NEAR ANNA ARCH, CHENNAI - 600 106

+1 CC to M/S.T.SHUNMUGARAJESWARAN Advocate on payment of
necessary charges SR.NO. 8343

CRL OP.10803/2022

Date :01/06/2022

RW-03/06/2022