



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10967 of 2022

SARANRAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE
SEMBANARKOIL POLICE STATION,
MAYILADUTHURAI DISTRICT.
(CRIME NO.90 OF 2022)

[RESPONDENT]

For Petitioner : M/S.SWAMISUBRAMANIAN Advocate

For Respondent : MR.S.SUGENDRAN, Additional Public Prosecutor

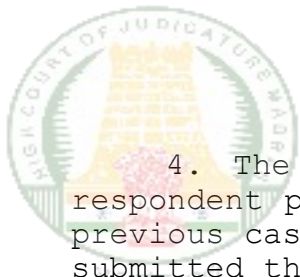
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under sections 147, 148, 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.90 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused had abused the de-facto complainant with filthy language, attacked him with wooden log and aruval and attempted to cause death and also threatened him with dire consequences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offences as alleged by the prosecution. He further submitted that he has been falsely implicated in this case. Hence, he pleads for anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent police opposed to grant anticipatory bail stating that one previous case is pending as against the petitioner herein. He further submitted that injured has been discharged from the hospital.

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5. Considering the facts of the case and also the fact that now, injured has been discharged from the hospital, custodial interrogation of the petitioner is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned District Munsif cum Judicial Magistrate, Tharangambadi, Mayiladuthurai District 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 respondent before daily at 10.00 a.m. for a period of four weeks and thereafter 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/-

12/05/2022

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THARANGAMBADI, MAYILADUTHURAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
SEMBANARKOIL POLICE STATION,
MAYILADUTHURAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.SWAMISUBRAMANIAN Advocate on payment of necessary charges SR.No.7037

CRL OP.10967/2022

Date :12/05/2022

CSK 17/05/2022