



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.13021 of 2022

SELVENDRA SUDHAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALANGIYAM POLICE STATION,
TIRUPPUR DISTRICT.
IN CRIME NO.90/2022.

[RESPONDENT]

For Petitioner : M/S.P.KALIMUTHU Advocate

For Respondent : MR. N.MUTHUVEL, 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 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 wordy quarrel, the petitioner abused the de facto complainant in filthy language and attacked him with deadly weapon, due to which, he sustained simple injuries.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for granting of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that due to wordy quarrel, the petitioner abused the de facto complainant in filthy language and attacked him with deadly weapon, due to which, he sustained simple injuries. He would further submit that the injured has 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, nature of injuries and also the fact that the injured has been discharged from the hospital, 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 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, Dharapuram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 the 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 as and when required for interrogation.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.



7. With the above directions, this Criminal Original Petition is ordered.

WEB COPY

-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,
DHARAPURAM.

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

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. P.KALIMUTHU Advocate on payment of necessary charges SR.NO. 8465

CRL OP.13021/2022

Date :01/06/2022

RW-03/06/2022