



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.410 of 2022

Deva Lakshmanan

... Petitioner/Sole Accused

Vs

The state represented by,
The Sub Inspector of Police,
Kollidam Police Station,
Trichy District.
(Crime No.02 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Saravanan.B,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Government Advocate (Crl.Side)

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

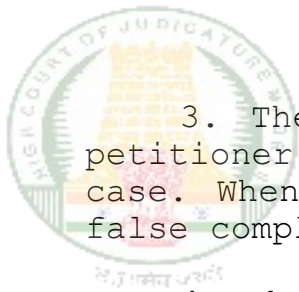
PRAYER :-

For Anticipatory Bail in Crime No. 02 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 324 and 506(i) of I.P.C, in Crime No.02 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 31.12.2021 at about 03.00 p.m., while the defacto complainant was collecting meat waste from the garbage near the Kollidam river and loading the same on his TATA ACE vehicle, the petitioner, who is running a swine rearing farm and dairy farm in that place interrupted the defacto complainant and asked him to stop the work that he was carrying on and by hearing the chaos 5 other persons came to the spot and entered into a quarrel with the defacto complainant and assaulted him with a cable wire and by which he sustained head injury. They also threatened the defacto complainant with dire consequences and also scolded him with filthy language. Hence, the complaint.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. When collecting the meat waste, trouble arose. Out of which false complaint has been foisted.

4. The learned Additional Public Prosecutor for the respondent police submitted that totally six persons assaulted the defacto complainant. The defacto complainant was admitted in the hospital and discharged from the hospital on the date of admission itself. There is no previous case pending against the petitioner.

5. Considering the facts and circumstances of the case and the injured person has been discharged from the hospital on the date of admission itself this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate cum District Munsif, Srirangam, 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 and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
11/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE CUM DISTRICT MUNSIF,
SRIRANGAM.



2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE SUB INSPECTOR OF POLICE
KOLLIDAM POLICE STATION, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. SARAIVANAN.B Advocate SR.No.213

ORDER
IN
CRL OP(MD) No.410 of 2022
Date :11/01/2022

USK/PN/SAR-I/04.02.2022/3P/6C