



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

Date : 31/01/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.811 of 2022

C.Samivel

... Petitioner/Accused-A-1

Vs

The State Rep. By,
The Inspector of Police,
Thottiyam Police Station,
Trichy District.
(Crime No.240/2021).

... Respondent/Complainant

For Petitioner : Mr.A.Senthilkumar, Advocate.
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 240 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 143, 294(b), 323, 342, 506(i) IPC, in Crime No.240 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the *defacto* complainant while visiting the disputed property for the purpose of conducting civil case on behalf of his client, at that time, the petitioner and other accused persons came there, assaulted and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent, that the co-accused was released on anticipatory bail and that the petitioner is not having any previous case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the injured was discharged from the hospital and that the petitioner is not having any previous case at his credit.



5.Considering the facts and circumstances of this case, that in Crl.OP(MD)No.14477 of 2021, on the ground of apology letter given by the co-accused, he was released on anticipatory bail, that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Musiri and on his executing 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 am for a period of one month and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-
31/01/2022

/ 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, MUSIRI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.811 of 2022
Date :31/01/2022