



WEB COPY

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

Dated: 02/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CrI.OP(MD)No.760 of 2022

Rooban ... Petitioner/1st Accused

Vs.

State rep. by
The Inspector of Police,
Thogur Police Station,
Thanjavur District.
(Crime No.356 of 2021) ... Respondent/Complainant

For Petitioner : M/s.T.Lenin Kumar, Advocate

For Respondent : M/s.S.Manikandan
Government Advocate (Criminal side)

PETITION FOR Anticipatory BAIL under Sec.438 of Cr.P.C

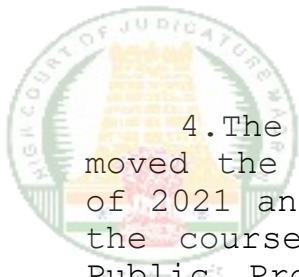
PRAYER :-

For Anticipatory Bail in Crime No.356 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A1 apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 353, 506(ii) IPC and section 25(1-B)(a) of Arms Act and section 3(1) of TNPPDL Act, in Crime No.356 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons alleged to have entered in a quarrel with the police and they also damaged the windscreen of the police outpost and they were also found in possession of arms.



4.The co-accused namely Naresh Raju was arrested and later, he moved the bail application before this court in CrI.OP(MD)No.20748 of 2021 and that was allowed, by order, dated 05/01/2022 and during the course of the above said proceedings, the learned Additional Public Prosecutor would submit that even this petitioner is a college student, they picked up quarrel with the police and check post police people and damaged the windscreen of the outpost and also caused criminal intimidation to the police personnel and according to him, considering the heinous nature of the offence, the petitioner should not be released on anticipatory bail.

5.The case of the petitioner is that only for the purpose of fishing activity, they were carrying aruval and fish hook and except that, they have not committed any offence. Even though the co-accused released on bail on the ground that he was a student, no such stand has been taken by the petitioner and since the co-accused released on bail, the custodial interrogation of the petitioner may not be required.

6.Considering the manner of occurrence and no previous case is also reported against this petitioner, this court is inclined to **release the petitioner on anticipatory bail** with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Thiruvaiyaru 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 on further condition that the petitioner shall appear before the respondent police once 15 days at 10.00 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously. 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 will stand dismissed.

Sd/-
02/02/2022

/ TRUE COPY /

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

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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,
THIRUVAIYARU.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3. THE INSPECTOR OF POLICE,
THOGUR POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP (MD) No.760 of 2022

Date :02/02/2022

SP/VR/SAR III/09/02/2022/3P/5C