



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/01/2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.944 of 2022

Suriya

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Patteeswaram Police Station,
Thanjavur District.
in Crime No.605/2021.

... Respondent/Complainant

For Petitioner : Mr.B.Jameel Arasu,
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.605 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) I.P.C, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a quarrel between the petitioner and the defacto complainant, due to which, the petitioner and other accused assaulted the defacto complainant by using wooden log and, thereby he sustained injuries. 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. He further submitted that the petitioner is arrayed as A1 and the other accused are the father and mother of the petitioner. The defacto complainant assaulted his wife and the same was questioned by the petitioner, who is a neighbour. Co-accused/A2 in this case was already released on bail by the trial Court and prayed the petitioner to be released on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that co-accused/A2 in this case was



arrested and released on bail. There is a case and counter case. Totally three accused in this case and the petitioner is arrayed as A1. The injured person in this case has been discharged from the hospital and prayed the petition to be dismissed.

5. It is seen that co-accused/A2 was already released on bail by the trial Court. Considering the nature of offence, the overt act attributed against the petitioner and that the injured person has been treated as out patient, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District, 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/-
20/01/2022

/ 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 NO.II,
KUMBAKONAM, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
PATTEESWARAM POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.944 of 2022
Date :20/01/2022

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<https://hmcjcega001g01.mca.gov.in/cv/cvites/01.2022/2P/5C>