



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 24/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

WEB COPY

CRL OP(MD). No.1168 of 2022

Venkadesh

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Sirvaikundam Police Station,
Thoothukudi District
(Crime No.9 of 2022)

... Respondent/Complainant

For Petitioner : Mr.M.Sankar,
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.9 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 294(b), 324 and 506(ii) I.P.C, on the file of the respondent police, seeks anticipatory bail.

2.The case against the petitioner is that on 08.01.2022, when the son of the defacto complainant was watering the paddy field, the petitioner and others were drinking alcohol near the motor room and on warning by the son of the defacto complainant, they went off. Later, in the evening, the petitioner and others attacked the son of the defacto complainant with deadly weapons and caused him injuries and they scolded him in filthy language. A case in Crime No.9 of 2022 was registered under Sections 294(b), 324 and 506(ii) I.P.C. The petitioner filed this petition for anticipatory bail.

3.On the side of the petitioner, it is stated that some unknown persons attacked the son of the defacto complainant and not the petitioner. The injured was discharged from the hospital. Only on the basis of a love affair, a false case was foisted against the petitioner and prayed the petitioner to be released on anticipatory bail.



4. On the side of the prosecution, it is stated that the petitioner attacked the defacto complainant. It is admitted that the injured was discharged from the hospital.

5. In view of the submission made by both the parties, and considering the nature of the offence and considering the fact that the injured was discharged from the hospital, 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, Srivaikundam, Thoothukudi, 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. for a period of 30 days and thereafter, as and when required for interrogation. 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/-

24/01/2022

/ 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,
SRIVAIKUNDAM, THOOTHUKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SIRVAIKUNDAM POLICE STATION, THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.1168 of 2022

Date : 24/01/2022

LS

<https://hmcjvce.org.in/Case/25.01.2022/2P/5C>