



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 16.02.2022

PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

**CRL OP(MD) . No.2896 of 2022**

Reegan

... Petitioner/Accused No.3

Vs

State rep.by  
The Sub-Inspector of Police,  
Koodankulam Police Station,  
Tirunelveli District.  
(Crime No.21 of 2022)

... Respondent/Complainant

P.Thomas

... Intervene Petitioner  
Defacto Complainant  
(in Crl.MP (MD) No.2526/2022)

For Petitioner : M/s.K.Rajeshwaran, Advocate.

For Respondent : M/s.M.Muthumanikkam,  
Government Advocate (Crl. Side)

For Intervenor : M/s.V.S.Arulraj, Advocate  
for M/s.K.Arunraj, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.21 of 2022 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 147, 148, 294(b), 325 and 506(2) IPC and Section 4 of TNPWH Act, in Crime No.21 of 2022, on the file of the respondent police, seeks anticipatory bail.



questioned the same, the petitioner and other accused had attacked the defacto complainant and his mother with iron rod. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned counsel for the intervenor would submit that the defacto complainant's mother was also attacked at the hands of the accused and her four teeth were broken and she was taken in-patient treatment for six days.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured was already discharged from the hospital.

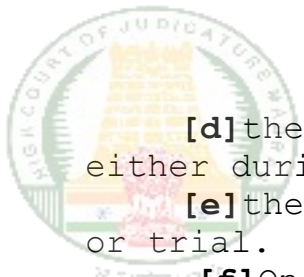
6.Considering the fact that there existed previous enmity between the parties and also the facts that the injured was already discharged from the hospital, that some of the co-accused were already granted anticipatory bail by the learned Principal Sessions Judge, Tirunelveli, and that the petitioner is not having any pending cases for similar or serious offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Radhapuram, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner is directed to deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** to the credit of Crime No.21 of 2022 on the file of the respondent police before the learned Judicial Magistrate Court, Radhapuram, Tirunelveli District, within a period of two weeks from the date of receipt of a copy of this order.

[c] the petitioner shall stay at Madurai and report before the Tallakulam Police Station daily at 10.30 a.m., for a period of one month and thereafter, before the respondent police as and when required for interrogation.



[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.

[f]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-

16/02/2022

/ TRUE COPY /

/ /2022

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

CSM

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,  
RADHAPURAM, TIRUNELVELI.
2. -DO- THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.
3. THE SUB INSPECTOR OF POLICE,  
KODANKULAM POLICE STATION,  
TIRUNELVELI DISTRICT.
4. THE INSPECTOR OF POLICE,  
TALLAKULAM POLICE STATION,  
MADURAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.RAJESHWARAN K Advocate SR.No.1198

ORDER

IN

CRL OP(MD) No.2896 of 2022

Date :16/02/2022