



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.02.2022

WEB COPY

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CRL OP(MD) . No.3108 of 2022

Santhosh @ Santhoshkumar

... Petitioner/Accused No.1

Vs.

State Rep.by
The Inspector of Police,
Samayapuram Police Station,
Trichy District.
(In Crime No.6/2022)

... Respondent/Complainant

For Petitioner : Mr.K.Yasar Arafath
Advocate.

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)

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

PRAYER :-

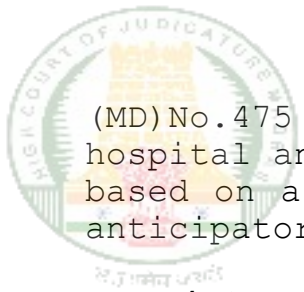
For Anticipatory Bail Crime No.6 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 506(ii) of IPC, in Crime No.6 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case against the petitioner is that on 04.01.2022, the petitioners scolded the defacto complainant in filthy language and attacked him with arival and threatened him with dire consequences. The case in Crime No.6 of 2022 was registered against the petitioner under Section 294(b), 324, 506(ii). The petitioner filed this petition for anticipatory bail.

3.On the side of the petitioner it is stated that only due to previous motive a false case was foisted against him. Co-accused was already released on anticipatory bail by this Court in Crl.O.P.



(MD)No.475 of 2022 dated 28.01.2022. Injured was discharged from the hospital and that the previous case against the petitioner is a case based on a civil dispute and pray the petitioner to be released on anticipatory bail.

4.On the side of the prosecution it is stated that only due to a petty dispute, the petitioner assaulted the defacto complainant and caused him injuries. It is admitted that the victim was discharged from the hospital and that the co-accused was already released on anticipatory bail and pray the petition to be dismissed.

5.Considering the nature of offence and the fact that the co-accused was already released on bail and considering the fact that the injured was discharged from the hospital, this Court is inclined to grant 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 No.III, Trichy 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 of 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/-
14/02/2022

/ 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.III
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3 THE INSPECTOR OF POLICE
SAMAYAPURAM POLICE STATION,
TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.3108 of 2022

Date :14/02/2022

RS/VR/SAR.1 (17.02.2022) 3P-5C