



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/02/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.3414 of 2022

S.Vinoth Kumar @ Vinoth

... Petitioners/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Mandalamanickam Police Station,
Ramanathapuram District.
Cr.No. 180 of 2021.

... Respondents/Complainants

For Petitioner : M/s.MAYILVAHANA RAJENDRAN.C,
Advocate.

For Respondent : Mr.SS.MADHAVAN,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 180 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

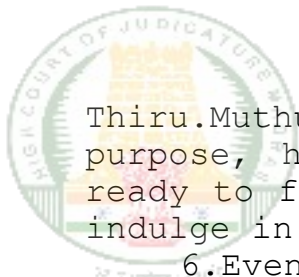
The petitioner/accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(ii) IPC, in Crime No.180 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, the petitioner along with his parents said to have abused the defacto complainant in filthy language and attacked the defacto complainant and his wife. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that earlier anticipatory bail petition filed by the petitioner has been dismissed by this Court in Crl.OP(MD) No.19873 of 2021, dated 10.01.2022, on the ground that the petitioner is having previous cases.

5.The learned counsel for the petitioner would submit that the petitioner is studying 3rd year Political Science in Posumpon



Thiru.Muthuramalinga Tevar Memorial College, Kamuthi and for that purpose, he also produced a copy of the Identity Card and he is ready to file an undertaking affidavit that the petitioner will not indulge in such activities in future.

6. Even though, the petitioner is involved in previous case under Section 307 IPC case, considering the facts and circumstances of the case and also considering the fact that the petitioner is college going student and the dispute between two neighbours, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Kamudhi, 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 **every sunday at 10.30 a.m.** until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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.

9. The petitioner must file undertaking affidavit before the Trial Court. If any fresh case is registered against the petitioner, anticipatory bail granted by this Court, shall stand automatically cancelled without further reference to this Court. The learned counsel for the petitioner must file a copy of the above said affidavit to the Registry and send another copy to the concerned Police Station.

sd/-
25/02/2022

/ 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
KAMUDHI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
MANDALAMANICKAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.MAYILVAHANA RAJENDRAN.C Advocate SR.No.1534

ORDER

IN

CRL OP(MD) No.3414 of 2022

Date :25/02/2022

SA/SBN/SAR.4/02.03.2022/3P/6C