



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/02/2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3480 of 2022

Anbu @ Anbarasu

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Srirangam Polcie Station,
Srirangam,
Trichy District.
(Crime No.62/2022)

... Respondent/Complainant

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

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.62 of 2022 on the file of the Respondent Police.

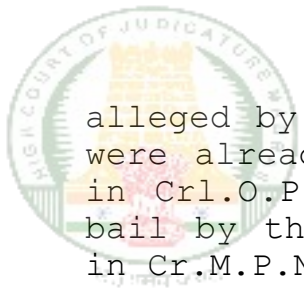
ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 21.01.2022 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) IPC in Crime No.62 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with A1 and A2 have borrowed a sum of Rs.2 crores from the de-facto complainant, that when the de-facto complainant called the petitioners to repay the said amount, a wordy quarrel arose between them and due to that, on 20.01.2022, the petitioner and A1 and A2 have assaulted the de-facto complainant with wooden log and caused injuries to him. 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

<https://hcservices.ecourts.gov.in/hcservices/>



alleged by the prosecution. He would further submit that A1 and A2 were already granted anticipatory bail by this Court on 08.02.2022 in Crl.O.P.(MD)No.1497 of 2022 and A4 and A5 were already granted bail by the Principal District and Sessions Judge, Tiruchirappalli in Cr.M.P.No.356 of 2022 on 03.02.2022.

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4.The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital.

5.Considering the fact that there existed money transaction dispute between the de-facto complainant and the petitioner and also the facts that the injures was discharged from the hospital, that the co-accused were already granted bail and anticipatory bail and that the petitioner is in judicial custody from 21.01.2022, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his executing 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 District Munsif cum Judicial Magistrate, Srirangam.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

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18/02/2022

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.

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- TO
- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SRIRANGAM.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
 - 4 THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION,
SRIRANGAM, TRICHY DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.3480 of 2022
Date :18/02/2022

RS/PN/SAR.2(18.02.2022) 3P-6C