



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/03/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN
CRL OP(MD). No.3921 of 2022

WEB COPY

Aadhamdeen

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Ariyamangalam Police Station,
Trichy City.
(Crime No.21/2022).

... Respondent/Complainant

For Petitioner : M/s.Haroon Rasheed D.S.,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.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 No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 147, 294(b), 323, 427 and 506(ii) of I.P.C, in Crime No.21 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 06.01.2022, at about 12.30 a.m, since there was no petrol in the bike of the defacto complainant, he was walking along with his bike. At that time, on seeing the same, the petitioner and the other accused thought that he is a bike thief. Hence, they said to have waylaid him and abused him in filthy language and criminally intimidated him. 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 seeks anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) for the respondent police would submit that this is the second anticipatory bail application. Earlier anticipatory bail application filed by the petitioner in Crl.OP(MD)No.680 of 2022, was dismissed on 12.01.2022, on the ground that the petitioner is having one previous case in



Crime No. 312 of 2021. He would further submit that the petitioner caused damage worth about Rs.14,500/-.

5.It is seen that earlier anticipatory bail application filed by the petitioner was dismissed on the ground that the petitioner is having one previous case. The FIR copy shows that Crime No.312 of 2021 was registered against the petitioner for the offence under Sections 269, 270 of IPC and 41(6)(c) of Tamil Nadu City Police Act. It appears that it is only an agitation made for demanding reduction of diesel and petrol price. But, however, the damage alleged to have caused by the petitioner.

6.Considering the facts and circumstances of the case and also considering the damaged caused, a sum of Rs.10,000/- (Rupees Ten Thousand only) to be deposited to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.21 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

8.On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.VI, Trichy, 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. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9.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/-
09/03/2022

/ 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.VI,
Trichy.
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
3. The Inspector of Police,
Ariyamangalam Police Station,
Trichy City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.3921 of 2022

Date :09/03/2022

RS/SBN/SAR.4(14.03.2022) 3P-5C