



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

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.3846 of 2022

K.Sathasivam

... Petitioner/Sole Accused

Vs

The state represented by
The Sub Inspector of Police,
Vedasandur Police Station,
Dindigul District.
Cr.No. 48 of 2022.

... Respondent/Complainant

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

For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.48 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 offence punishable under Sections
294(b), 324, 427, 452 and 506(ii) of IPC, in Cr.No.48 of 2022, seeks
anticipatory bail.

2.The case of the prosecution is that there arose dispute
between the parties regarding money transaction, due to which, the
petitioner trespassed into the defacto complainant's house, abused
him in filthy language and also damaged the glass of the windows.
Hence, the complaint.

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

4.The learned Government Advocate (Crl.Side) appearing for the
State would submit that there existed some disputes between the
parties with regard to money transaction. He would further submit
that injured was discharged from the Hospital.



5.Considering nature of the charges levelled against the petitioner and also the facts that the injured was discharged from the hospital and that the counter case in Crime No.47 of 2022 has been registered against the defacto complainant and party, this Court is inclined to grant anticipatory bail to the petitioner, but with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Vedasandur, Dindigul District.

7.On production of such receipt/acknowledgment, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vedasandur, Dindigul District, 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 learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation.

(c)the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond either during investigation or trial;

(e)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]***; and;



(f)if the accused / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

25/02/2022

/ TRUE COPY /

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/ /2022

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

DAS

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 COURT
VEDASANDUR DINDIGUL DISTRICT

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

3 THE SUB INSPECTOR OF POLICE
VEDASANDUR POLICE STATION, DINDIGUL DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE,
GOVERNMENT OF TAMIL NADU,
CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT, CHENNAI 09.

+1. CC to M/S.RAJESHWARAN K Advocate SR.No.1510

ORDER

IN

CRL OP(MD) No.3846 of 2022

Date :25/02/2022

SS/SBN/SAR-III/03.03.2022 : 3P/7C