



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

WEB COPY

CRL OP(MD) . No.7524 of 2022

Vetrimuthu

... Petitioner/Accused No.1

Vs

The State rep. by
The Inspector of Police,
Pattukottai Police Station,
Thanjavur District.
Crime No.123 of 2022.

... Respondent/Complainant

For Petitioner : M/s.BALASUBRAMANIAN.N,
Advocate.

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.123 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 452, 294(b), 324, 379 and 506(ii) of I.P.C, in Crime No.123 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 18.01.2022 at about 11.00 hours, the accused person picked up quarrel with the defacto complainant and also tried to kill him and made assault with the stone. He also stolen a sum of Rs.85,000/- from the shop. The injured person was taken to the hospital.

3.On previous occasion, the learned counsel for the petitioner required to get instructions with regard to the above said amount. On that ground the matter was listed today. Today, the learned counsel for the petitioner submitted that as a vegetable vendor, the defacto complainant cannot possess such a huge amount in his shop. According to him, it is false allegation.

4.The learned Government Advocate for the respondent would submit that the injured person was discharged from the hospital, but so far the amount involved in this matter has not been recovered.



5. There is an allegation of theft of Rs.85,000/-. Unless the petitioner deposits the above said amount, he is not entitled for anticipatory bail.

6. Considering the nature of the amount involved and the antecedents of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.85,000/- (Rupees Eighty Five Thousand only) to the credit of Cr.No.123 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, Thiruvaiyaru, 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/-

07/07/2022

/ TRUE COPY /

/07/2022

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
THIRUVAIYARU, THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



3 THE INSPECTOR OF POLICE,
PATTUKOTTAI POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.7524 of 2022

Date :07/07/2022

SA/VR/SAR.3/13.07.2022/3P/5C