



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/05/2022

PRESENT

WEB COPY

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

CRL OP(MD) . No.9627 of 2022

Muthukumar

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by its,
The Inspector of Police,
Nainar Kovil Police Station,
Ramanathapuram District.
Crime No. 158/2021.

... Respondent/Complainant

For Petitioner : M/s.Jeyakarthik.M.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. 158/2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 341, 324, 307, 506(ii) and 120(b) of I.P.C., in Crime No.158 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there is a dispute between the family of the defacto complainant and the family of Muthuramalingam in connection with election. On 16.06.2021 at about 09.00 pm., when the husband of the defacto complainant was standing in Pandiyur to S.V.Mangalam Road, Saravanan, Karmegam and two unknown persons waylaid him and scolded him in filthy language and attacked him with Aruval. As a result, he suffered injuries on head, left and right side wrist and chest. On hearing his noise, the defacto complainant, Karthy and Durai took him and admitted in the hospital. Hence, the present complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.



4.The learned Additional Public Prosecutor opposed this petition by stating that the investigation is pending and the earlier petition filed by the petitioner in Crl.OP(MD)No.8611 of 2021, was dismissed by this Court and this is the second anticipatory bail application. He would further submit that the injured was discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b]the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of two months and thereafter, as and when required for interrogation;

[c]the petitioner shall not tamper with 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]**;

sd/-
19/05/2022

/ 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,
PARAMAKUDI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
NAINAR KOVIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-4926[I] dated 20/05/2022)

ORDER
IN
CRL OP(MD) No.9627 of 2022
Date :19/05/2022

das
USK/VR/SAR-IV/24.05.2022/3P/6C