



WEB COPY

CRL OP(MD).



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.8302 of 2022

Jeya Kumar

... Petitioner/ Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Singampuneri Police Station,
Sivagangai District.
Crime No.57 of 2022.

... Respondent/Complainant

For Petitioner : Mr.C.Jeganathan
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.57 of 2022 on the file of the Respondent Police.

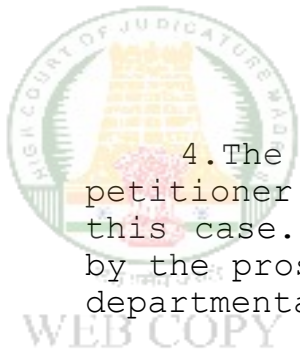
ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506 (i), in Crime No.57 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.When the matter is taken up for hearing, the learned counsel for the petitioner submitted that in this petition, the petitioner has omitted to mention Section 294(b) of IPC. After perusing of FIR, the said Section is included in the order. Registry is directed to included the Section 294(b) of IPC in the petition.

3.The case of the prosecution is that the defacto complainant, who is a practicing advocate in the District Munsif Court Cum Judicial Magistrate, Singampuneri has lodged a complaint before the respondent police alleging that while he was making an enquiry with the Court staff, the petitioner attacked the defacto complainant. After hearing the petitioner's voice, the other accused were came to the occurrence place and assaulted the defacto complainant and also

<https://www.hcma.gov.in/>



4.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case. The petitioner has not committed any offence as alleged by the prosecution. He would further submit that pending this issue, departmental proceedings was initiated against this petitioner.

5.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the injured has been discharged from the hospital. He would further submit that no previous case is pending against the second petitioner.

6.On perusal of records, it shows that the dispute between the Court staff and the Advocate and no bad antecedents are reported against the petitioner.

7.Considering the facts and circumstances of the case and also the fact the petitioner is not having any previous cases at his credit, this Court is inclined to grant bail to the petitioner, however, with stringent conditions.

8.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or his appearance, before the learned District Munsif Cum Judicial Magistrate Court, Singampuneri, and on his executing 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 once in a month i.e., on first Monday of every English Calender Month at 10.30 a.m., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

9.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
05/07/2022

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SINGAMPUNERI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
SINGAMPUNERI POLICE STATION, SIVAGANGAI DISTRICT.

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

+1 CC to Mr.C.JEGANATHAN, Advocate (SR-6732[I] dated 07/07/2022)

ORDER

IN

CRL OP(MD) No.8302 of 2022

Date :05/07/2022

TTA

MK/PN/SAR.I/29.07.2022/3P/6C