



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18.05.2022
PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9273 of 2022

K.Venkatesan

... Petitioner/
Accused Rank Not Known

Vs

The State rep. by its
The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
Crime No.136/2022.

... Respondent/Complainant

For Petitioner : Mr.ATHISHAYAA.A
Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM
Additional Public Prosecutor.

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

PRAYER :- For Anticipatory Bail in Crime No.136 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), 323 and 506(i) IPC in Crime No.136 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 05.05.2022 at about 19.15 hours, due to enmity over a land dispute, the petitioners abused the defacto complainant with filthy language and attacked him by helmet. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that injured has been discharged from the hospital.



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

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 Judicial Magistrate, Thuraiyur, Trichy 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 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 as and when required.

[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]**.

sd/-
18/05/2022

/ 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
THURAIYUR, TRICHY DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION,
TRICHY DISTRICT.

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

+1. CC to M/S.ATHISHAYAA.A Advocate SR.No.23780 **(F)**

ORDER

IN

CRL OP(MD) No.9273 of 2022

Date :18/05/2022

SA/VR/SAR.1/23.05.2022/3P/6C