



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/06/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.9891 of 2022

K.Ponmuiasamy

... Petitioner/Accused

Vs

The State represented by
The Inspector of Police,
Ettayapuram Police Station,
Thoothukudi.
Cr.No.159/2022.

... Respondent/Complainant

For Petitioner : M/s.Raamakrishnan Ka,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No. 159/2022 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 offences punishable under Section 294(b), 324, 506(ii) of IPC and Section 4 of TNPHW Act, in Crime No.159 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant/Health worker was cleaning the road on 09.05.2022, the petitioner drove his two wheeler in a rash and negligent manner almost dashing the defacto complainant, when the same was questioned by the defacto complainant, there was a wordy quarrel arose between the petitioner and the defacto complainant and the petitioner abused him using filthy language and hit him with stone, thereby, the defacto complainant sustained injury. Hence, the complaint.

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



4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured has been discharged from the hospital.

5.Considering the nature of offence, the overt act attributed against the petitioner and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Kovilptti, Thoothukudi District. on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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., for a period of one month and thereafter, as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date, on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

02/06/2022

/ TRUE COPY /

/ /2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI, THOOTHUKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE
ETTAYAPURAM POLICE STATION, THOOTHUKUDI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.9891 of 2022

Date :02/06/2022

SS/VR/SAR:IV/03.06.2022 : 2P/5C