



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 01/06/2022

WEB COPY

PRESENT

**The Hon`ble Mrs.Justice R.THARANI**

CRL OP(MD).No.9707 of 2022

Arockiya Sagayaraj

... Petitioner/Accused No.1

Vs

State rep.by  
The Inspector of Police,  
Viralimalai Police Station,  
Pudukkottai District.  
(Crime No.179 of 2022)

... Respondent/Complainant

For Petitioner : Mr.C.Karthikeyan, 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 Cr.No.179 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 offences punishable under Sections 294(b), **(\*)323,324**, 427 and 506(i) of IPC, 1980, in Crime No.179 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the son of the petitioner and on 23.05.2022, the defacto complainant along with his friends went to the petitioner's home at about 04.00 a.m. and the complainant took video and called the petitioner to come outside. Since the petitioner refused to come outside, the defacto complainant broke the glass window and in return the petitioner throw the broken glass piece on the defacto



complainant because of that the defacto complainant sustained injury and he shouted in pain. At that time, the petitioner run away shouting "thief thief" and on hearing his shouting around 20 peoples gathered there and they attacked the defacto complainant and his friends and caused them injuries. Hence, the complaint.

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3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seek anticipatory bail.

4.The learned Government Advocate (Crl. Side), appearing for the respondent police submitted that it is a case in counter. He has further submitted that no one was injured in this case.

5.Considering the facts and circumstances of the case and also considering the fact that it is a case in counter and no one was injured, 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, Elupur, 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., 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/-

01/06/2022

**(\*)Amended as per order of this Hon'ble  
Court dated 13/06/2022 in Crl.OP(MD).  
No.9707/2022**

**Time for surrender is extended for a  
further period of two weeks from the  
date of receipt of a copy of this  
Order.**

/ TRUE COPY /

20/06/2022

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



TO

**TO BE SUBSTITUED WITH THE ORDER DATED 01/06/2022 ALREADY DESPATCHED**

1. THE JUDICIAL MAGISTRATE,  
ELUPUR.
2. -DO- THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,  
VIRALIMALAI POLICE STATION,  
PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC TO M/S.C.KARTHIKEYAN, ADVOCATE IN SR No.5495(I)

ORDER

IN

CRL OP(MD) No.9707 of 2022

Date :01/06/2022

SP/VR/SAR IV/02/06/2022/3P/6C

pnn

PKP/SVR/SAR-2/20.06.2022/3P/6C