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

Date : 21/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.10051 of 2022

Chinnathambi

... Petitioner/Sole Accused

Vs

State Rep. by
The Sub Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
(Crime No.188 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Sekar, Advocate.

For Respondent : Mr.P.Kottai Chamy
Government Advocate (crl.side)

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

PRAYER :-

For Anticipatory Bail in Cr.No.188/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 of IPC and Sections 92(a), 92(b) and 92(e) of the Rights of Persons with Disabilities Act 2016, in Crime No.188 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.Today, the matter is listed wrongly under caption for being mentioned. Originally, the matter is adjourned today for regular hearing.

3.The case of the prosecution is that the defacto complainant is a differently abled person (Blind). On 31.05.2022 at about 7.00



a.m, the defacto complainant came from his house to attend his nature call, at that time, the petitioner outraged the defacto complainant. When same was questioned, the petitioner herein abused the defacto complainant and caused injury to him. Hence, the complaint.

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4.The learned counsel for the petitioner submitted that as per the earlier direction given by the predecessor, an affidavit of undertaking has been filed by the petitioner tendering unconditional apology and also undertakes that he will not commit any offence against the provisions of Rights of Persons with Disabilities Act and any other law in future. He further submitted that the both the parties are relatives and belonged to very same village.

5.Considering the facts and circumstances of the case and also considering the undertaking affidavit filed by the petitioner and the apology tendered by him, this Court is inclined to grant bail to the petitioner, however, with stringent conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Illuppur, 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 on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7.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/-
21/06/2022

/ TRUE COPY /

/06/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cp



1. THE JUDICIAL MAGISTRATE,
ILLUPPUR.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3. THE SUB 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.SEKAR.S Advocate SR.No.27293

ORDER
IN
CRL OP(MD) No.10051 of 2022
Date :21/06/2022

SP/SVR/SAR II/29/06/2022/3P/6C