



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

Date : 24/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11254 of 2022

Naveenkumar @ Naveen

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Palakkarai Police Station,
Trichy City.
Crime No.449 of 2021.

... Respondent/Complainant

For Petitioner : Mr.PALMURUGAN.K, 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.449 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 341, 323, 324, 506(ii) and 392 of IPC in Crime No.449 of 2021 on the file of the respondent police.

2.The case of the prosecution is that on 30.08.2021 at about 01.00 pm., when the defacto complainant was riding a two wheeler near the place of occurrence, all the accused persons caused assault upon him, caused injury and also tried to snatch his gold chain. He was also criminally intimidated. Based upon the complaint given by the defacto complainant, the present case has been registered. Seeking anticipatory bail, the petitioner, who is A1, has moved this petition.

3.The learned Government Advocate (Crl. Side) for the respondent submitted that the petitioner was having 8 previous cases, but however those cases have already been disposed of.

4.Perusal of record shows that the application seeking anticipatory bail that was moved by the petitioner repeatedly before the trial Court came to be dismissed on the ground that the chain, which was robbed, was not recovered. However, the learned Government Advocate (Crl.side) would submit that there was only an attempt to snatch the chain, but actually no chain was snatched from the defacto complainant.



5. Considering the fact that it is only an attempt to a chain and previous cases have been disposed of, 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 Judicial Magistrate Court No.V, Trichy, 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. until further orders. 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 made ready, failing which, the petition for anticipatory bail stands dismissed. If any case is registered against the petitioner in future, the bail that has been granted by this Court in this petition shall stand dismissed without further reference to this Court.

sd/-

24/06/2022

/ 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 JUDICIAL MAGISTRATE NO.V, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
PALAKKARAI POLICE STATION, TRICHY CITY.

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

+1. CC to M/S.PALMURUGAN.K Advocate SR.No.6117

ORDER IN

CRL OP(MD) No.11254 of 2022

Date : 24/06/2022

SA/PN/SAR.2/06.07.2022/2P/6C

<https://www.mhc.tn.gov.in/judis>