



WEB COPY



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

Date : 11/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.11525 of 2022

Saravanan

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.
(Crime No.277 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Suresh Kannan C, Advocate.

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

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

PRAYER :-

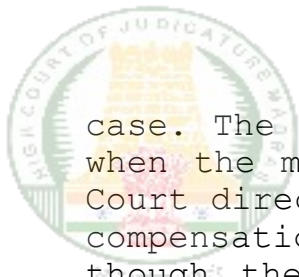
For Anticipatory Bail in Crime No.277 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324, 307 & 506(ii) I.P.C, in Crime No.277 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.06.2022, at about 03.00 p.m, when the defacto complainant and the accused person taking liquor, there was wordy quarrel arose between them. Due to which, the accused person said to have attacked the defacto complainant with beer bottle on his left side neck and caused 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. The learned counsel for the petitioner further submitted that when the matter is taken up for hearing on previous occasion, this Court directed the petitioner to get instruction with regard to give compensation amount to the victim for his medical treatment. Even though the petitioner moved anticipatory bail along with the co-accused before the learned Principal Sessions Judge, Thanjavur. In respect of the co-accused that was allowed. Insofar as this petitioner is concerned, that was dismissed on the ground that there was specific overt act against the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that after 10 days treatment, injured was discharged from the hospital. The accused as well as the defacto complainant are neighbours and friends. Trouble arose between them when they taking liquor together. So, there was no previous motive between the defacto complainant and the accused persons.

5.Considering the facts and circumstances of the case and also considering the fact that there was no previous enmity between the parties and there was sudden quarrel in drunken mode, this Court is inclined to grant anticipatory bail to the petitioner on condition that he must pay a sum of Rs.20,000/- (Rupees Twenty Thousand Only) towards medical treatment to the injured person. He must also pay acknowledgement for the above said amount to the concerned judicial Magistrate Court at the time of surrender.

7. On such payment being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate-III, Thanjavur, 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.

8. 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.

Sd/-
11/07/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.II)
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.III,
THANJAVUR.
 2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM
 3. THE INSPECTOR OF POLICE,
SENGIPATTI POLICE STATION,
THANJAVUR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.SURESH KANNAN C Advocate SR.No.7016

ORDER
IN
CRL OP(MD) No.11525 of 2022
Date :11/07/2022

SP/JM/SAR II/18/07/2022/3P/6C