



WEB COPY



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

Date : 07/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.12255 of 2022

Nandhakumar

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Gandamanur Vilakku Police Station,
Theni.
(Crime No.118/2022).

... Respondent/Complainant

For Petitioner : M/s.Vishnu.J, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

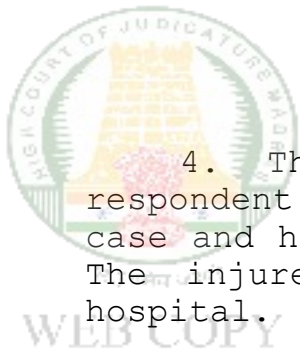
For Anticipatory Bail in Crime No.118/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(i) of IPC, in Crime No.118 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 01.07.2022 at about 3.00 p.m., when the defacto complainant was going to saloon, the accused person waylaid the defacto complainant and assaulted and abused him in filthy language and threatened him. 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. There is a case in counter case. The petitioner was also attacked by the defacto complainant party and sustained serious injuries. For which, crime No.117 of 2022 has been registered.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner has one previous case and has been charge sheeted before the Juvenile Justice Board. The injured person in this case has been discharged from the hospital.

5. There is a case in counter case. The learned counsel for the petitioner submitted the photographs of the petitioner, showing the nature of injury sustained by him. It appears that the petitioner facing charges before the Juvenile Justice Board, for the offence committed by him, when was minor.

6. Though the petitioner has previous case, he also suffered injuries in this case. Therefore, on that ground only, this Court is inclined to grant, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Aundipatti, Theni District, 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.

Sd/-
07/07/2022

/ TRUE COPY /

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

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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.



1. THE JUDICIAL MAGISTRATE,
AUNDIPATTI, THENI DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
GANDAMANUR VILAKKU POLICE STATION,
THENI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.12255 of 2022
Date :07/07/2022

SP/SVR/SAR I/14/07/2022/3P/5C