



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13895 of 2022

Sakthi,

... Petitioner/Accused No.1

Vs

State Rep.by

The Inspector of Police,

Sayalkudi Police Station,

(*)Ramanathapuram District

Crime.No. 103 of 2022.

(Amended as per order dated 18.08.2022

made in CrI.M.P(MD).No.9749 of 2022 in

CrI OP(MD)NO.13895/2022)

... Respondent/Complainant

For Petitioner : Mr.M.Pandian, Advocate.

For Respondent : Mr.P. Kottaichamy

Government Advocate (CrI.Side)

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

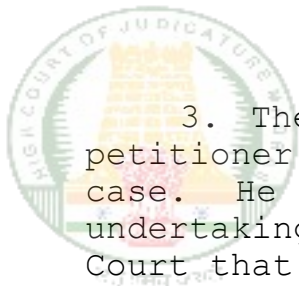
PRAYER :-

For Anticipatory Bail in Crime No. 103 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) I.P.C and Section 75 of JJ Act r/w. Section 4 of TNPHW Act, in Crime No.103 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 24.03.2022, at about 8.00 am when the defacto complainant was standing in front of the house, the accused persons came there and caused assault with hands, that was prevented by her 8 years old boy at that time the accused persons assaulted him with iron rod. Hence, the complaint.



3. The learned counsel for the petitioner submitted the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to file an undertaking affidavit before the respondent police as well as the Court that he will not indulge in such activities in future.

WEB COPY

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured person has been discharged from the hospital and the investigation of the case is pending.

5. Considering the nature of offence, the overt act attributed against the petitioner, the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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, Kadaladi 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 must file an undertaking affidavit stating that he will not indulge this kind of offence in future before the concerned Magistrate Court and send another copy to the concerned Police Station. If any violation is noticed after filing undertaking affidavit, anticipatory bail granted by this Court, shall stand automatically cancelled without reference to this Court.

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/-

18/08/2022

/ TRUE COPY /

08/09/2022

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



TO

1 THE JUDICIAL MAGISTRATE,
KADALADI.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.M.PANDIAN, Advocate (SR-8871[I] dated 23/08/2022)

ORDER

IN

CRL OP(MD) No.13895 of 2022

Date :18/08/2022

trp

PKP/VR/SAR-4/08.09.2022/3P/6C