



WEB COPY



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

Date : 11/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.13897 of 2022

I.Narayanan

... Petitioner/Sole Accused

Vs

1. State represented by
The Inspector of Police,
Peraiyur Police Station,
Madurai District.
(Crime No.149/2022)

... Respondent/Complainant

(*) 2. Ganesh Balaji

... 2nd Respondent/Defacto
Complainant

(*) (R2 Suo Motu impleaded as per order
of this Hon'ble Court dated 02.08.22
in Crl.O.P.(MD)No.13897/2022 by GIJ)

For Petitioner : M/s.Antony Arul Raj.T, Advocate.

For Respondent 1 : Mr.M.Vaikkam Karunanithi,
Government Advocate(Crl.Side)

For Respondent 2 :Mr.K.Dinesh, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.149/2022 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole accused, who apprehends arrest at the hands
of the respondent police for the offences punishable under Sections
420, 294(b) and 506(1) IPC, in Cr.No.149 of 2022, seeks anticipatory
bail.



2. When the matter is taken up for hearing, the learned counsel on either side would submit that in the mediation process, the matter was compromised between the parties and mediation report was also produced before this Court.

WEB COPY

3. Considering the facts and circumstances of the case and also considering the fact that the matter was compromised between the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Peraiyur, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 am until further orders.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-

11/10/2022

/ TRUE COPY /

/10/2022

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



TO

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

+1. CC to M/S. ANTONY ARUL RAJ.T Advocate SR.No.11216

ORDER

IN

CRL OP(MD) No.13897 of 2022

Date :11/10/2022

SP/GB/SAR I/18/10/2022/3P/6C