



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

Date : 26.09.2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.14164 of 2022

Raman @ Ramakrishnan

... Petitioner/Accused No.1

Vs

The State Rep. By,
The Inspector of Police,
Sattankulam Police Station,
Sattankulam,
Thoothukudi District.
Crime No.237 of 2022.

... Respondent/Complainant

For Petitioner : Mr.T.Vadivelan,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.237 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(i) IPC, in Cr.No.237 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 27.07.2022 at about 07.00 a.m., the petitioner and other accused quarrelled with the de-facto complainant and assaulted him with dire consequences by using filthy language. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.



4.The learned Government Advocate(Crl.Side) would submit that due to previous motive, the accused attacked the de-facto complainant and caused simple injury and the injured was discharged from the hospital. He would further submit that the petitioner is having one previous case and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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, Sattankulam, 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 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/-

26/09/2022

/ TRUE COPY /

/10/2022

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

ORDER

IN

CRL OP(MD) No.14164 of 2022

Date :26/09/2022

sjj
USK/VR/SAR- /07.10.2022/3P/5C