



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/09/2022
PRESENT

WEB COPY

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

CRL OP(MD) . No.14560 of 2022

Moorthy

... Petitioner/2nd Accused

Vs

1.The State rep.by
The Inspector of Police,
Mandala Manickam Police Station,
Ramanathapuram District.
(Crime No.35 of 2022).

... Respondent/Complainant

2. Regunayagam
(R2 is *suomotu* impleaded as per
order of the Court dated
25/08/2022 in Cr1.OP(MD).
14560/2022)

... 2nd Respondent

For Petitioner : M/s.JEYAKARTHIK.M.S., Advocate

For Respondent 1 : Mr.M.VEERANTHIRAN,
Government Advocate(crl.side)

For Respondent 2 : NO APPEARANCE

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

PRAYER :- For Anticipatory Bail in Crime No.35 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 279, 337, 294(b), 506(ii) IPC, in Crime No.35 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to family dispute, on 28.07.2022, while the defacto complainant was returning to his house in his two wheeler, the accused persons came in the opposite direction and dashed his vehicle, in which, he sustained injuries. Hence, the complaint.



3. On the side of the petitioner, it is stated that a false case was foisted against the petitioner. This petitioner is arrayed as A2. In this case, the injured was discharged from the hospital. Hence, prays to release him on anticipatory bail.

4. On the side of prosecution, it is stated that due to family dispute, this occurrence took place between the parties. The injured was also discharged from the hospital. The petitioner is having one previous case at his credit and hence, prays to dismiss the petition.

5. Considering the facts and circumstances of this case and nature of the offence, that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

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 Judicial Magistrate, Kamuthi, 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 be present before the Court on hearing dates and before the respondent police as and when required;

(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/-

22/09/2022

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/09/2022

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



TO

1 THE JUDICIAL MAGISTRATE
KAMUTHI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 The Inspector of Police,
Mandala Manickam Police Station,
Ramanathapuram District.

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

+1. CC to M/S.JEYAKARTHIK M S Advocate SR.No.10395

ORDER

IN

CRL OP(MD) No.14560 of 2022
Date :22/09/2022

PNM

SA/SBN/SAR.2/27.09.2022/3P/6C