



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

Date : 15/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD).No.14554 of 2022

P.Selvam

... Petitioner/Accused Rank No.1

Vs

The State represented by
The Inspector of Police,
Shenkottai Police Station,
Tenkasi District.
(Crime No.239 of 2022)

... Respondent/Complainant

For Petitioner : M/s.B.Ramanathan
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.239 of 2022 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands
of the respondent police for the offences punishable under Sections
147, 294(b), 323, 324, 427 and 506(ii) of IPC in Crime No.239 of
2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/accused
No.1 attacked the defacto complainant, scolded him in filthy
language and threatened him with dire consequences. Hence the
complaint.

3.The learned counsel for the petitioner submitted that the
petitioner has not committed any offence as alleged by the
prosecution. He has been falsely implicated in this case and pray
the petitioner to be released on anticipatory bail.



4.The learned Government Advocate(Crl.side) submit at there are five accused in this case. The accused Nos.2 and 4 were arrested and released on bail. Five persons were injured in this incident. Accused No.5 is absconding till date and pray the petition to be dismissed.

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5.Considering the facts and circumstances of this case and considering the nature of the offence this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this petition is allowed and 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, Tenkasi, 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 for a period of two weeks and thereafter as and when required for interrogation;

(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/-

15/09/2022

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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,
TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
SHENKOTTAI POLICE STATION, TENKASI DISTRICT.

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

+1 CC to M/s.B.RAMANATHAN, Advocate (SR-10026[I] dated 15/09/2022)

ORDER

IN

CRL OP(MD) No.14554 of 2022

Date :15/09/2022

PNN

RS/VR/SAR.1 (22.09.2022) 3P-6C