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

Date : 30/09/2022

PRESENT

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

CRL OP (MD) . No.14901 of 2022

Ramanathan

... Petitioner/Sole Accused

Vs

1. State rep.by
The Inspector of Police,
Thuraiyur Police Station,
Thuraiyur,
Trichy District.
(Crime No. 229 of 2022). ... Respondent/Complainant
- (*) 2. Radha ... 2nd Respondent/Defacto
Complainant
- (*) (R2 is *suomotu* impleaded as
per order of the Hon'ble Court, dated
18/08/2022 in Cr1.O.P. (MD) No.14901/2022
by GIJ)

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

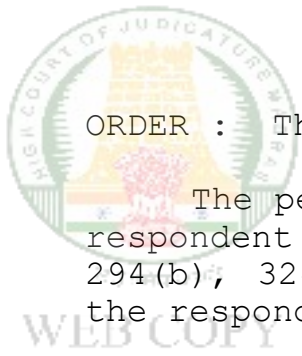
For 1st Respondent : Mr.M.Veeranthiran
Government Advocate (Cr1.Side)

For 2nd Respondent : No Appearance

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

PRAYER :-

For Anticipatory Bail in Crime No.229 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), 324, 506(ii) IPC, in Crime No.229 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. Due to dispute between them, on 23.07.2022, the petitioner quarreled with the defacto complainant, assaulted her with hands. Hence, the complaint.

3. On the side of the petitioner, it is stated that a false case was foisted against the petitioner. It is a dispute between husband and wife. Hence, prays to release him on anticipatory bail.

4. On the side of prosecution, it is stated that due to dispute between the husband and wife, this case was registered. The injured was also discharged from the hospital. Hence, prays to dismiss the petition.

5. Considering the facts and circumstances of this case, relationship between the parties, nature of the offence and 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, Thuraiyur, 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.

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Sd/-
30/09/2022

/ TRUE COPY /

/10/2022

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

PNM

TO

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

ORDER
IN
CRL OP (MD) No.14901 of 2022
Date :30/09/2022

SP/VR/SAR /07/10/2022/3P/5C