



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.16300 of 2022

Amaladoss

... Petitioner/ Accused No.1

Vs

The State represented by
The Inspector of Police,
Maruvur Police Station,
Thanjavur District.
(Crime No.191 of 2022)

... Respondent/Complainant

For Petitioner : M/s.R.L.Dhilipan Pandian
Advocate.

For Respondent : Mr.M.Veeranthiran,
Government Advocate

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

PRAYER :-

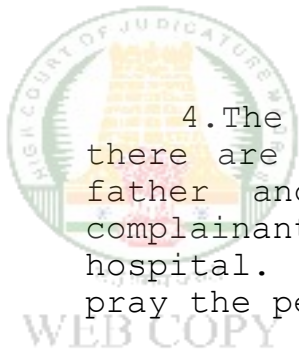
For Anticipatory Bail in Crime No.191 of 2022 on the file of
the Respondent Police.

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
294(b), 324, 506(ii) of IPC in Crime No.191 of 2022, seeks
anticipatory bail.

2.The case of the prosecution is that on the date of
occurrence, the accused persons have attacked the defacto
complainant and a victim with liquor bottles and knife and caused
injury to them. Hence the complaint.

3.The learned counsel for the petitioner submitted that the
petitioner has not committed any offence as alleged by the
prosecution. The defacto complainant with previous enmity had given
a false complaint against the accused persons and pray the
petitioner to be released on anticipatory bail.



4.The learned Government Advocate(Crl.side) submit at there are two accused in this case. The 1st and 2nd accused are father and son. The first accused has stabbed the defacto complainant with knife. The injured was discharged from the hospital. The petitioner/accused No.1 has one previous case and pray the petition to be dismissed.

5.Considering the facts and circumstances of this case, considering the nature of the offence and also the fact that the injured was discharged from the hospital, 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, Thiruvaiyaru, Thanjavur District, 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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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
MARUVUR POLICE STATION, THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.16300 of 2022

Date :15/09/2022

pnn

RS/SBN/SAR.2 (22.09.2022) 3P-5C