



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

Date : 14/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.16516 of 2022

Anvar Ali

... Petitioner/Accused No.7

Vs

The State Rep. By,
The Inspector of Police,
Jegadapattinam Police Station,
Pudukkottai District.
Crime No.51 of 2016..

... Respondent/Complainant

For Petitioner : M/s.Rameshkumar D,
Advocate.
For Respondent : Mr.M.Veeranthiran,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.51 of 2016 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC, in Crime No. 51 of 2016, seeks anticipatory bail.

2. The allegation against the petitioner is that due to election motive, the petitioner and other accused assaulted the defacto complainant and threatened him with dire consequences. A case in Crime No.51 of 2016, was registered against the petitioner.

3. On the side of the petitioner, it is stated that due to previous enmity, the petitioner's name was falsely implicated in this case. After filing final report, the petitioner came to know about the implication of his name. The petitioner is arrayed as A7 in the case. All the other accused were already released on bail and prayed the petitioner to be released on anticipatory bail.

4. On the side of the prosecution, it is stated that due to election motive, the petitioner and other accused assaulted the



defacto complainant and threatened him with dire consequences. All the other accused were arrested and got bail. The petitioner went to Abroad and now only he returned to India. The injury is simple in nature. After the completion of the investigation, charge sheet was filed and the same was taken on file as C.C.No.138 of 2017.

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5. Considering the facts and circumstances of the case and considering the fact that the occurrence took place in the year 2016 and also considering the fact that co-accused were already released on bail, 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, Aranthangi, Pudukkottai 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 concerned Court daily at 10.30 am for a period of two weeks and thereafter as and when required;

(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/-

14/09/2022

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

ORDER

IN

CRL OP(MD) No.16516 of 2022

Date :14/09/2022

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