



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.17262 of 2022

Ramya

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Keelathooval Police Station,
Ramanathapuram District.
(Crime No.121/2022).

... Respondent/Complainant

For Petitioner : M/s.Iniyavan M, 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.121/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324, 379(NH) and 506(ii) IPC in Crime.No.121 of 2022, seeks anticipatory bail.

2.The case of the prosecution that due to land dispute there was a wordy quarrel arose between the petitioner and the defacto complainant and that the petitioner attacked the defacto complainant with beer bottle and caused injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and his name has been falsely implicated in this case. He would further submit that A1 and A2 has already been released on bail and seeks anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that it is land dispute between the parties and the injured has been discharged from the hospital. He would further submit that it is a



case and counter case and the counter case has been registered in Crime No. 122 of 2022 and strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that it is a case and counter case and that the co-accused has been released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 learned Judicial Magistrate, Mudhukulathur, Ramanathapuram 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 appear 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 not abscond either during investigation or trial;

(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/-

27/09/2022

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/10/2022

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

TO

1 THE JUDICIAL MAGISTRATE, MUDHUKULATHUR, RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.



3 THE INSPECTOR OF POLICE, KEELATHOOVAL POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.M.INIYAVAN, Advocate (SR-10649[I] dated 28/09/2022)

ORDER

IN

CRL OP(MD) No.17262 of 2022

Date :27/09/2022

TRP

RS/VR/SAR.(10.10.2022) 3P-6C