



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

Date : 30/09/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.17470 of 2022

V.Selvam

... Petitioners/Accused Rank No.3

Vs

The State Rep. By,
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
Crime No.341 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Karthick Kumar A,
Advocate

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

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

PRAYER :-

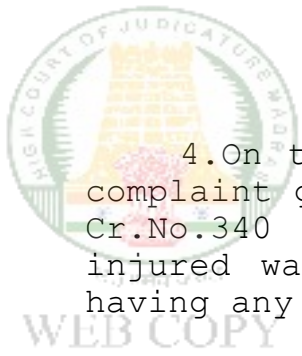
For Anticipatory Bail in Crime No.341 of 2022 on the file of the Respondent Police.

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 147, 148, 294(b), 323, 427, 379(NP), 506(ii) I.P.C, in Crime No.341 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.09.2022, the accused persons went to the hotel of the defacto complainant and abused and assaulted him and his friend. They also threatened them with dire consequences. Hence, the complaint.

3. On the side of petitioner, it is stated that it is a case in counter, based upon the complaint given by the petitioner, a counter case was registered in Crime No.340 of 2022 against the defacto complainant party and that injured was discharged from the hospital. Hence, prays to release the petitioner on anticipatory bail.



4. On the side of prosecution, it is stated that based upon the complaint given by the petitioner, case in counter was registered in Cr.No.340 of 2022 against the defacto complainant party and the injured was discharged from the hospital. The petitioner is not having any previous case to his credit.

5. Considering the facts and circumstances of the case, considering the fact that the injured was discharged from the hospital and that it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original 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 Judicial Magistrate, Nilakottai, Dindigul 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 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 learned Magistrate may obtain a copy of their Aadhaar 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 the 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/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

30/09/2022

/ TRUE COPY /

/10/2022

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



TO

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

+1 CC to M/s.A.KARTHICK KUMAR, Advocate (SR-10843[I] dated
30/09/2022)

ORDER
IN
CRL OP(MD) No.17470 of 2022
Date :30/09/2022

pnm
USK/VR/SAR- /07.10.2022/3P/6C