



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

Date : 18/10/2022

PRESENT

WEB COPY

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

CRL OP(MD). No.18532 of 2022

Ganesan

... Petitioner/Accused No.5

Vs

The State Rep. By,
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(Crime No.435 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Prabu M,
Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.435 of 2022 on the file of
the Respondent Police

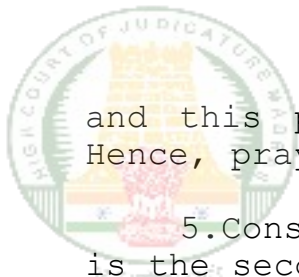
ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections
147, 148, 294(b), 324, 307, 427 & 506(ii) I.P.C and Section 4 of
Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime
No.435 of 2022, on the file of the respondent police, seeks
anticipatory bail.

2.The earlier anticipatory bail petition filed by the
petitioner was dismissed by this Court on 30.09.2022, considering
the gravity of the offence.

3.Now, the petitioner has filed this second anticipatory bail
petition, on the ground that the co-accused were released on bail by
the lower Court. Hence, prays to enlarge them on anticipatory bail.

4.On the side of prosecution, it is stated that the injured was
discharged from the hospital. The co-accused were released on bail



and this petitioner is having two previous cases at his .
Hence, prays to dismiss the petition.

5. Considering the facts and circumstances of the case and this is the second petition filed by the petitioner and the fact that the injured was discharged from the hospital and also the co-accused were enlarged on bail, 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 No.I, Kovilpatti, 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 10:30am 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.

sd/-
18/10/2022

/ TRUE COPY /

/10/2022

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



TO

1. THE JUDICIAL MAGISTRATE NO.I,
KOVILPATTI.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.M.PRABU, Advocate (SR-11598[I] dated 18/10/2022)

ORDER

IN

CRL OP(MD) No.18532 of 2022

Date :18/10/2022

pnm

USK/VR/SAR- /27.10.2022/3P/6C