



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/10/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.18567 of 2022

G.Surya

... Petitioner/Accused No.7

Vs

The State represented by
The Inspector of Police,
E-5, Mattuthavani Police Station,
Madurai District.
Crime No.392 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Bairavan K,
Advocate.

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

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

PRAYER :-

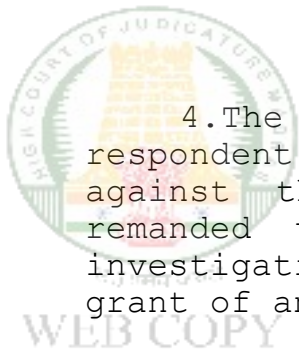
For Anticipatory Bail in Crime No. 392/22 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 279 and 308 of IPC r/w Section 183, 184 of MV Act, in Crime No.392 of 2022 , seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and his friends were cutting cake for birthday celebration in the bridge of the main road near PC Perunkayam Company and after that they drove the bikes fastly to create a endanger to human life and created a public nuisance. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is a college student and he is studying B.Sc., IT 3rd year in American College. He would further submit that the petitioner is innocent and he did not commit any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the



4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that no previous case is pending against the petitioner and the co-accused were arrested and remanded to judicial custody. He would further submit that investigation in this case is still pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and considering the nature of offence and also the fact the petitioner is not having any bad antecedents, 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 on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai, 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 Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the duty Doctor, Rajaji Government Hospital, Madurai, for a period of one month and assist the ward boys to take care of the patients at Accident Ward from 06.00 am to 07.00 am. The petitioner shall also submit a report about his experience in the Accident Ward to the Duty Doctor and thereafter, the Dean shall forward the report submitted by him at the end of one months to this Court.

[c]the petitioner shall not tamper with the 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]**.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

19/10/2022

/ TRUE COPY /

/11/2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

WEB COPY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE
E-5, MATTUTHAVANI POLICE STATION, MADURAI DISTRICT.

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

COPY TO:

THE DEAN,
RAJAJI GOVERNMENT HOSPITAL, MADURAI.

+1. CC to M/S.BAIRAVAN K Advocate SR.No.11769

ORDER
IN
CRL OP(MD) No.18567 of 2022
Date :19/10/2022

SS/GB/SAR I/07/11/2022/ 3P 7C