



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.18816 of 2022

WEB COPY

Uruvatti

... Petitioner/Sole Accused

Vs

The State rep.by,
The Sub Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
(Crime No.80 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Uthayakumar A,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.80 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
294(b), 323, 506(i) I.P.C and Section 4 of Tamil Nadu Prohibition
Women Harassment Act, in Crime No.80 of 2022, on the file of the
respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to family dispute,
the accused person abused the defacto complainant and assaulted him
with hands and also criminally threatened him with dire
consequences. Hence, the complaint.

3. On the side of petitioner, it is stated that the injured was
treated as out-patient. The petitioner is noway connected with the
offence. Hence, prays to release the petitioner on anticipatory
bail.

4.On the side of prosecution, it is stated that the petitioner
is not having any bad antecedents at his credit. In this case,
injured was treated as out patient and investigation is not yet
completed and hence, prays to dismiss the petition.

5.Considering the facts and circumstances of the case, that the
injured was treated as out-patient and also considering the fact



that the petitioner is not having any previous case at his, 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, Kamuthi, 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 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 on every Saturday 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/ petitioners thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/10/2022

/ TRUE COPY /

/11/2022

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

TTA

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



TO

1. THE JUDICIAL MAGISTRATE, KAMUTHI, RAMANATHAPURAM DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE SUB INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.UTHAYAKUMAR, Advocate (SR-11934[I] dated
27/10/2022)

ORDER
IN
CRL OP(MD) No.18816 of 2022
Date :20/10/2022

RK/SSS/SAR-1 (02/11/2022) 3P/6C