



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 18.02.2022  
PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL OP(MD) . No.20461 of 2021

Mugeshkanna

... Petitioner/1<sup>st</sup> Accused

**Vs**

The State represented by  
The Inspector of Police,  
Thanjavur Medical College Police Station,  
Thanjavur.  
(Crime No.1281 of 2021)

... Respondent/Complainant

For Petitioner : Mr.V.S.KUMARAGURU,  
Advocate.

For Respondent : Mr.R.SIVAKUMAR,  
Government Advocate (Crl. Side)

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

**PRAYER :-** For Anticipatory Bail in Crime No.1281 of 2021 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioner/A.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 506(1), 448 and 427 IPC, in Crime No.1281 of 2021, on the file of the respondent police, seeks anticipatory bail.

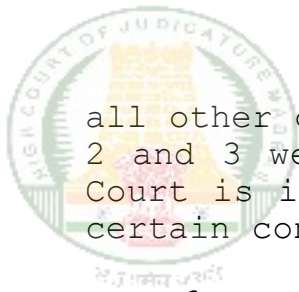
2.The case of the prosecution is that there existed dispute between the parties, the petitioner and other accused had attacked the defacto complainant and caused injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the accused Nos.2 and 3 were already released on bail by the District Court.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured was already discharged from the hospital.

5.Considering the facts that the injured was already discharged from the hospital, that except the offence under Section 506(1) IPC,

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all other offences are bailable in nature and that the other accused 2 and 3 were already released on bail by the District Court, 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.II, Thanjavur, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 is directed to deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** to the credit of Crime No.1281 of 2021 on the file of the respondent police before the learned Judicial Magistrate No.II, Thanjavur, within a period of two weeks from the date of receipt of a copy of this order.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty (30) days and thereafter, as and when required for interrogation.

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

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

sd/-  
18/02/2022

/ TRUE COPY /

/ /2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



**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 concerned.

**TO**

- 1 THE JUDICIAL MAGISTRATE NO.II  
THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,  
THANJAVUR MEDICAL COLLEGE POLICE STATION,  
THANJAVUR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.KUMARAGURU V.S. Advocate SR.No.1290

**ORDER**

**IN**

CRL OP(MD) No.20461 of 2021

Date :18/02/2022

SA/SBN/SAR.4/03.03.2022/3P/6C