



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 15.02.2022

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PRESENT

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

CRL OP(MD). No.20546 of 2021

Atla @ Rajesh Kumar

... Petitioner/Accused No.1

Vs

State represented by  
The Inspector of Police,  
Nachiyarkovil Police Station,  
Thanjavur District.  
(Crime No.1147 of 2021)

...Respondent/ Complainant

For Petitioner : Mr.Y.Sasikumar,Advocate.

For Respondent : Mr.R.Sivakumar  
Government Advocate (Crl. side)

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

PRAYER :-

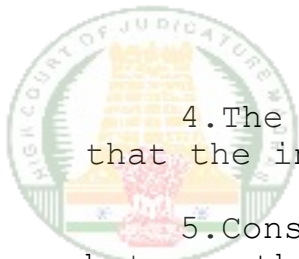
For Anticipatory Bail in Crime No.1147 of 2021 on the file of the Respondent police.

**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), 427, 324 and 506(2) IPC, in Crime No.1147 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner and other accused drove the vehicle with an intention to dash the defacto complainant's car and thereafter the petitioner and other accused had attacked him, abused him in filthy language and also damaged his car. 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.



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

5.Considering the fact that there existed previous enmity between the parties and also the facts that the injured was already discharged from the hospital and that except the offence under Section 506(2) IPC, all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate Court No.II, Kumbakonam.

7.On production of such receipt/acknowledgment, 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 Court No.II, Kumbakonam, 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 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.

**[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/-  
15/02/2022

/ TRUE COPY /

WEB COPY

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

CSM

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,  
KUMBAKONAM.
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,  
NACHIYARKOVIL POLICE STATION,  
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER INCHARGE,  
THE CHIEF MINISTER PUBLIC RELIEF FUND,  
GOVERNMENT OF TAMIL NADU  
SECRETARIAT BRANCH,  
CHENNAI -9.

+1 CC to M/s.Y.SASIKUMAR, Advocate ( SR-9636[I] dated 22/12/2021 )

ORDER  
IN  
CRL OP(MD) No.20546 of 2021  
Date :15/02/2022

PKP/JM/SAR-4/23.02.2022/3P/7C