



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/11/2022

PRESENT

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

CRL OP(MD). No.19293 of 2022

Jeeva @ Ponvannan

... Petitioner/Accused No.10

Vs

The State Rep.by,
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
Crime No.240/2022.

... Respondent/Complainant

For Petitioner : M/s. Sathya Chidambaram.S.,
Advocate.

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

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

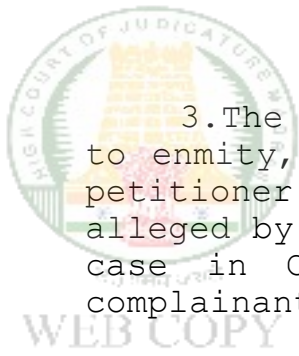
PRAYER :-

For Anticipatory Bail in Cr No.240/2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A10, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC, in Cr.No.240 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 24.10.2022, at about 02.30 p.m., the de-facto complainant and his friends were explosives the crackers, at that time, one Kamalraj and five others came in a bike with rash and negligent manner and when the same was questioned by the de-facto complainant, all the accused attacked the de-facto complainant with wooden log. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the injured has treated as outpatient and the petitioner is having no previous case. However, considering the gravity of offence, he strongly opposed to grant anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that the injured has treated as outpatient and the petitioner is having no previous case. However, considering the gravity of offence, he strongly opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the fact that the injured has treated as outpatient and also the facts that the counter case in Crime No.241 of 2022 is pending against the de-facto complainant and the petitioner is not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 learned Judicial Magistrate, Cheranmahadevi, Tirunelveli 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 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 Inspector of Police, Manimangalam Police Station, Kanchipuram District, daily at 10.30 am until further orders.

(c)the petitioner shall not tamper with 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]**; and;



(f)if the accused thereafter absconds, a fresh FIF registered under Section 229-A IPC.

sd/-
01/11/2022

/ TRUE COPY /

WEB COPY

/11/2022

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

SJI

TO

- 1.THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3.THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-12230[I] dated
02/11/2022)

ORDER
IN
CRL OP(MD) No.19293 of 2022
Date :01/11/2022

RK/SBN/SAR-4(08/11/2022) 3P/6C