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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08/11/2022

PRESENT

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

CRL OP(MD). No.19699 of 2022

Rajarathinam

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
E.Pudur Police Station,
Trichy
(Crime No.912 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Ebenezer Charles T J,
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 Crime No.912 of 2022 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused , who apprehends arrest at the
hands of the respondent police for the offences punishable under
Sections 294(b), 324 and 506(ii) IPC, in Cr.No.912 of 2022, seeks
anticipatory bail.

2.The case of the prosecution is that on 15.10.2022 at about
09.30 a.m., there was a wordy quarrel between the parties, due to
which, the petitioner fisted on the mouth and stomach of the de-
facto complainant and scratched her left hand with vegetable cutting
knife. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has not committed any offence as
alleged by the prosecution. Hence, he prays for anticipatory bail.

<https://www.mhcoj.in/judis>



4.The learned Government Advocate(Crl.Side) would submit that the injured was discharged from the hospital and no previous case is pending against the petitioner. However, considering the gravity of offence, he strongly opposed to grant anticipatory bail.

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5.Considering the facts and circumstances of the case and also considering the fact that the injured was already discharged from the hospital and also the fact that the petitioner is not having any previous case, 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 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, Tiruchirappalli, 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 respondent police 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 FIR can be registered under Section 229-A IPC.

sd/-

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



1. The Judicial Magistrate No.II, Tiruchirappalli.

2. Do-Through The Chief Judicial Magistrate,
Trichy District.

3. The Inspector of Police,
E.Pudur Police Station, Trichy.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S.EBENEZER CHARLES T J Advocate SR.No.12613

ORDER

IN

CRL OP(MD) No.19699 of 2022

Date :08/11/2022

SS/BUC/SAR II/17.11.2022/ 3P/ 6C