



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.20334 of 2022

WEB COPY

Vinoth @ Hariharan

... Petitioner/Petitioner/
Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
Crime No.300/2022.

... Respondent/Respondent
Complainant

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

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 300/2022 on the file of the
Respondent police.

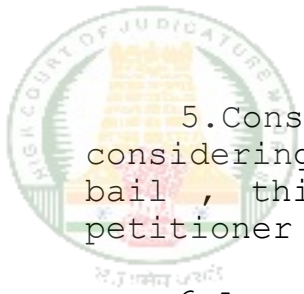
ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of
the respondent police for the offences punishable under Sections 395
and 397 IPC in Cr.No.300 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute
between the defacto complainant and the petitioner's friend, the
petitioner and other accused have attacked the de facto complainant
and also abused him in filthy language. 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 and his name has been falsely implicated
in this case.

4.The learned Government Advocate(Crl.Side) would submit that
totally four accused involved in this case and the petitioner has
filed the second anticipatory bail petition and the earlier
petition was dismissed by this Court. He would further submit that
it is a money dispute between the parties and the co-accused accused
has already been released on bail and the investigation of the case
is pending and he strongly opposed to grant anticipatory bail to
the petitioner.



5. Considering the facts and circumstances of the case, so considering the fact that the co-accused has already released on bail, 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, Thuraiyur, Trichy 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 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/-
17/11/2022

/ TRUE COPY /

/11/2022

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

TRP



TO

1. THE JUDICIAL MAGISTRATE, THURAIYUR, TRICHY DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION,
TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-13191[I] dated
17/11/2022)

ORDER

IN

CRL OP(MD) No.20334 of 2022

Date :17/11/2022

RK/SSS/SAR-1 (25/11/2022) 3P/6C