



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 14/11/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.20127 of 2022

Ananth

... Petitioner/Accused No.1

Vs

The State represented by  
The Inspector of Police,  
Puliyangudi Police Station,  
Tenkasi District  
(In Crime No.474 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Mayilvahana Rajendran C,  
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.474 of 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  
147, 148, 294(b), 325 and 506(ii) IPC in Cr.No.474 of 2022, seeks  
anticipatory bail.

2.The case of the prosecution is that during the time of diwali  
festival, the petitioner has bursted the crackers in his street near  
the defacto complaint's house and hence, that there was a wordy  
quarrel arose between the parties and that the petitioner has  
attacked the defacto 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



4. The learned Government Advocate (Crl.Side) would submit that A2 to A4 has already been granted anticipatory bail and the injured was discharged from the hospital and there is no previous case against the petitioner. He would further submit that 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 and also considering the fact that the injured was discharged from the hospital and that there is no previous case against the petitioner, 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, Sivagiri 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/-

14/11/2022

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/11/2022

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



TO

1 THE JUDICIAL MAGISTRATE,  
SIVAGIRI, TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRAE,  
TIRUNELVELI.

3 THE INSPECTOR OF POLICE  
PULIYANGUDI POLICE STATION, TENKASI DISTRICT

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

+1. CC to M/S.MAYILVAHANA RAJENDRAN C Advocate SR.No.12976

ORDER

IN

CRL OP(MD) No.20127 of 2022

Date :14/11/2022

SS/SSS/SAR III/22.11.2022/ 3P/ 6C