



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/12/2022
PRESENT

WEB COPY

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

CRL OP(MD). No.21281 of 2022

Velladurai @ Duraiappa

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Mukkoodal Police Station,
Tirunelveli District.
Crime No.112 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Susi Kumar C,
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.112 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 341, 342, 294(b), 323, 324, 355, 427, 307 and 506(ii) IPC, in Cr.No.112 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the brother-in-law (Sister's husband) of A5. Due to money dispute between the parties, A5 and the petitioner along with others attacked the de-facto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the co-accused were already granted anticipatory bail by this Court, dated 01.11.2022 in Crl.O.P.(MD)No.19279 of 2022. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that the injured was discharged from the hospital. However, considering



the gravity of offence he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the facts that the injured was already discharged from the hospital and the co-accused were already on anticipatory 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, Cheranmahadevi, 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 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, Tirupur North Police Station, Tirupur, 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/-
01/12/2022

/ TRUE COPY /

/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
MUKKODAL POLICE STATION,
TIRUNELVELI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
TIRUPUR NORTH POLICE STATION,
TIRUPUR.

ORDER

IN

CRL OP(MD) No.21281 of 2022
Date :01/12/2022

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SA/SSS/SAR.3/21.12.2022/3P/6C