



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2022

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.21497 of 2022

WEB COPY

Meera @ Mohammed Meera A.

...Petitioner/Accused A1

-vs-

State represented by
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(in Cr.No.322 of 2022)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to direct to release the Petitioner/Accused/A1 in Cr.No.322 of 2022 on the file of the Inspector of Police, Karaikudi North Police Station, Sivagangai District.

For Petitioner : Mr.A.Abdul Wahab, Advocate

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 nad 506 (ii) IPC in Crime No.322 of 2022 on the file of the respondent police, seeks anticipatory bail.

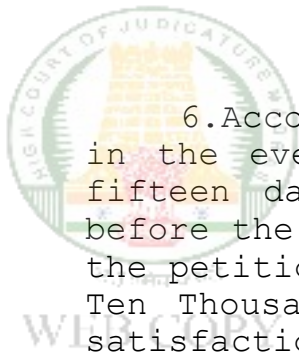
2.The case of the prosecution is that the petitioner/accused 1 along with A2 trespassed into the fancy store of the de-facto complainant in inebriated stated and attacked the de-facto complainant with steel pipe and abused in obscene and filthy language. Hence, the complaint.

3.The learned Government Advocate (Crl.side) would submit that the Petitioner has got one previous case.

4.In reply, the learned Counsel for the Petitioner would submit that the said case is relating to the year 2015 and for the past 7 years, the Petitioner does not have any case registered against him. Hence, he prays to grant anticipatory bail to the petitioner.

5.Heard the learned counsels. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

<https://www.mca.gov.in/judis>



6. Accordingly, the petitioner is ordered to be released in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Karaikudi**, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 everyday at 10.30 a.m., and 05.30 pm 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

05/12/2022

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

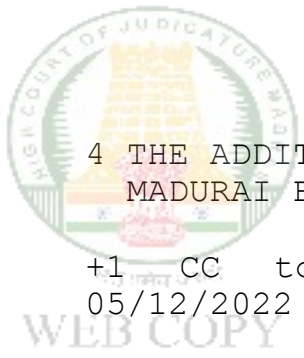
cmr

TO

1. THE JUDICIAL MAGISTRATE, KARAIKUDI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3. THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.



CRL.O.P(MD)N



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

+1 CC to M/s.A.ABDUL WAHAB, Advocate (SR-14360[I] dated
05/12/2022)

ORDER

IN

CRL OP (MD) No.21497 of 2022

Date :05/12/2022

RK/SSS/SAR-2 (09/12/2022) 3P/6C