



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/12/2022
PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.22612 of 2022

Sathya

... Petitioner/Accused No.6

Vs

The State rep.by
The Inspector of Police,
Town East Police Station,
Thanjavur District.
Crime No.1610/2022.

... Respondent/Complainant

For Petitioner : M/s. Eashwar.T,
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 Cr No.1610/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A6 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 147, 148, 323, 324, 506(ii) of IPC in Crime No.1610 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant is that 04.12.2022 at about 5.00pm., while he along with his family members were returning back to their home after worshipping the temple at that time, the petitioner along with other accused unlawfully assembled together and said to have abused the defacto complainant and assaulted with wooden log. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against her. He would further submit that the injured has been discharged from the hospital. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that the injured has been discharged from



the hospital and the co-accused has been granted anticipa- 11
by this Court.

5. Heard. Perused the materials available on record including
the First Information Report.

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6. Taking into consideration the facts and circumstances of the
case and also the fact that the injured has been discharged from
the hospital and the fact that the co-accused has been granted
anticipatory bail by this Court, this Court is inclined to grant
anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on
bail 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 No. I, Thanjavur 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 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., for a period of one week and thereafter on
every Saturday 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 petitioners 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/-

23/12/2022

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/01/2023

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



AAV
TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
TOWN EAST POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.22612 of 2022
Date :23/12/2022

SA/MMS/SAR.2/03.01.2023/3P/5C