



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2023

PRESENT

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

CRL.O.P(MD)No.566 of 2023

WEB COPY

Ravichandarn

...Petitioner/Accused

-vs-

The State represented by  
The Inspector of Police,  
Thiruvonam Police Station,  
Thanjavur District.  
(in Cr.No.788 of 2022)

...Respondent

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No.788 of 2022.

|                |                                                        |
|----------------|--------------------------------------------------------|
| For Petitioner | : Mr.K.Pragadeesh Kumar                                |
| For Respondent | : Mr.K.Sanjai Gandhi<br>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 and 506(ii) of IPC in Crime No.788 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 due to wordy quarrel, the petitioner has abused the de-facto complainant's brother in filthy language and attacked him in his neck and shoulder with beer bottle resulting in him sustaining injuries. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would also submit that this is the second petition for anticipatory bail and the petitioner was constrained to withdraw the earlier petition, since it was reported by the learned Government Advocate (crl.side) that the injured was still in hospital. The learned Counsel for the petitioner would submit that now the injured has been discharged from hospital and he would seek for anticipatory bail.

4.The learned Government Advocate (Crl.side) would submit that due to wordy quarrel, the petitioner has abused and assaulted the



de-facto complainant's brother. He would also submit that the injured has been discharged from hospital and he would oppose for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and submissions and also on perusing the materials available on record including the F.I.R., 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 on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Orathanadu, 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., 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/-  
10/01/2023

/ TRUE COPY /

/01/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



To

1.The Judicial Magistrate Orathanadu.

2. Do Through The Chief Judicial Magistrate,  
Thanjavur District at Kumbakonam.

3.The Inspector of Police,  
Thiruvonam Police Station,  
Thanjavur District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.PRAGADEESH KUMAR.K ---, Advocate ( SR-621[I] dated  
11/01/2023 )

CRL.O.P (MD) No.566 of 2023  
10.01.2023

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TR/MMS/SAR-II (24.01.2023) 3P 6C