



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eleventh day of January Two Thousand and Twenty
Three

WEB COPY

PRESENT

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

CRL OP(MD) No.668 of 2023

LINCYRAJ

... PETITIONER/ACCUSED NO. 1

Vs

THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI.
CRIME NO. 622 OF 2022

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.PON KARTHIKEYAN.R, Advocate

For Respondent : M/S VEERANTHIRAN M, Govt. Advocate (Cr1. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 622 OF 2022 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Accuse No.1 apprehending arrest at the hands
of the respondent police for the offences punishable under Sections
294 (b), 342, 324, 307 and 506(ii) IPC, in crime No.622 of 2022 on
the file of the respondent police, seeks bail.

2.The case of the prosecution is that one of the accused in
this case, is involved in murder case and in that case, the de-facto
complainant is an eye witness. Due to which, on 26.10.2022, the
accused persons waylaid the de-facto complainant, abused in filthy
language, attacked with deadly weapons and caused cut injuries to



him and also attempted to his life threat. Hence, the compla

3.The learned counsel for the petitioner would submit that the petitioner has nothing to do with the allegations contained in FIR. The co-accused have been released on bail, as per order of this Court in Crl.O.P(MD)No.20950 of 2022, dated 25.11.2022 and in Crl.O.P.(MD)No.21910 of 2022 dated 12.12.2022. He prays for grant of anticipatory bail to the petitioner.

4.The learned Govt. Advocate (Crl.side) would submit that the injured was discharged from the hospital. He would concede that the arrested accused have been released on bail by this Court.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and 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 No.1, Tirunelveli**, 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:

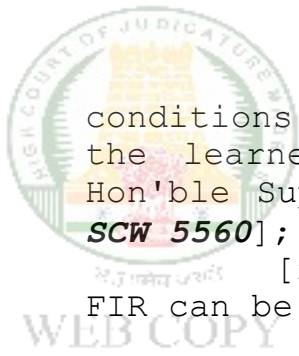
[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police Station every Monday at 10.30 a.m., for a period of two weeks and thereafter, every Saturday at 10.30 a.m until further orders;

[c] the petitioner shall not tamper with the 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 or 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/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

11/01/2023

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/01/2023

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

CM

TO

- 1 THE JUDICIAL MAGISTRATE NO.1,
TIRUNELVELI.
- 2 -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.PON KARTHIKEYAN.R Advocate SR.No. 578(I)

ORDER

IN

CRL OP(MD) No.668 of 2023

Date :11/01/2023

VA/SSS/SAR-III/23.01.2023/3P/6C

<https://www.mhc.tn.gov.in/judis>