



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/03/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.4320 of 2023

Ananthan

... Petitioner/Sole Accused

Vs

The State Rep.by
The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
Crime No.321 of 2022

... Respondent/Complainant

For Petitioner : Mr.S.Jeyakarthik
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.321 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506 (ii) IPC and Section 4 of TNPWH Act 2002 in Crime No.321 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 01.10.2022 at about 10.30 a.m., there was a wordy quarrel between the parties, the petitioner abused the de-facto complainant in filthy language, attacked her and also caused injuries to her. Hence, the case.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

4.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with

conditions:



5. 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, Andipatti, 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 daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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/-

06/03/2023

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/03/2023

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

TO

1 THE JUDICIAL MAGISTRATE
ANDIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
ANDIPATTI, THENI DISTRICT.



3 THE INSPECTOR OF POLICE
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-3458[I] dated 06/03/2023
)

ORDER
IN
CRL OP(MD) No.4320 of 2023
Date :06/03/2023

SS/SAR III(10.03.2023) 3P 6C