



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

Date : 11/04/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.6621 of 2023

Rama Alaguvel @ Rama Alagu ... Petitioner / Sole Accused

Vs

The State rep by
The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
(In Crime No.50/2023).

... Respondent / Complainant

For Petitioner : Mr.M.Murugesan, Advocate.

For Intervenor : M/s.Varadharajan, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.50/2023 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), 324 and 506(2) of IPC in Crime No. 50 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity the petitioner attacked the defacto complainant with bamboo stick, hence the case.

3. Heard both side and perused the materials available on record including the First Information Report.

<https://www.mhc.tn.gov.in/judis> The learned counsel appearing for the defacto



complainant/intervenor would submit that the petitioner is involved in a case in Crime No.68 of 2022 in which he damaged the entire house of the defacto complainant. In fact he was granted anticipatory bail only on the undertaking that he will indulge in any crime as against the petitioner.

WEB COPY

4. A perusal of the First Information Report reveals the fact that there was a wordy quarrel between them in which the petitioner attacked the defacto complainant with stick. Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner, with certain 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, Aathur, Dindigul 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 shall pay a sum of Rs.25,000/- directly to the defacto complainant as compensation and on production of proof/ acknowledgement the learned Magistrate shall accept the sureties furnished by the petitioner.

[b] 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.

[c] 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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].



CRL OP(MD).



23

[g] If the accused thereafter absconds, a fresh FI registered under Section 229A IPC.

sd/-

11/04/2023

WEB COPY

/ TRUE COPY /

/04/2023

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

AAV

To

1.The Judicial Magistrate,
Aathur, Dindigul District.

2.Do through the Chief Judicial Magistrat,
Dindigul District.

3.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.

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

+1 CC to M/s.M.MURUGESAN, Advocate (SR-5730[I] dated 12/04/2023)

ORDER

IN

CRL OP(MD) No.6621 of 2023

Date :11/04/2023

ED/MMS/SAR-1 (17/04/2023) 3P 6C