



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

Date : 13/04/2023

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.6835 of 2023

WEB COPY

Annalakshmi

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Appayanaickenpatti Police Station
Virudhunagar District.
Cr.No.7/2023.

... Respondent/Complainant

For Petitioner : M/s. C.Jeyaprakash, 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. 7/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

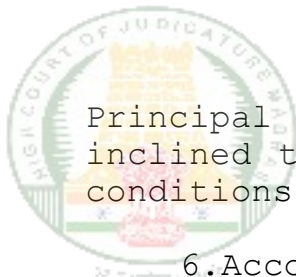
The petitioner/A1 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(ii) IPC in Crime No.7 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute the petitioner herein along with other accused said to have abused the defacto complainant, assaulted him and threatened with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him.

4.The learned Government Advocate(Crl.Side) appearing for the respondent police would submit that the injured was already discharged from the hospital.

5.Considering the facts that there existed a civil dispute between the parties, that the injured was already discharged from the hospital and also the fact that except the offence under Section 506(i) IPC, all other offences are bailable in nature and also the co-accused were granted anticipatory bail by the learned



Principal District and Sessions Judge, Virudhunagar this 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Sattur 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 learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioner shall report before the respondent police as and when required for interrogation.

(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 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]**; and;

(f) if the accused/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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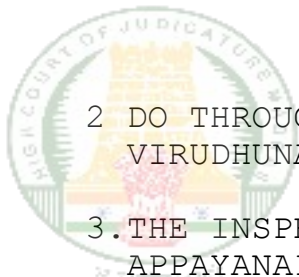
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1. THE JUDICIAL MAGISTRATE NO.I, SATTUR.

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



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE,
APPAYANAICKENPATTI POLICE STATION
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.C.JEYAPRAKASH, Advocate (SR-5828[I] dated 13/04/2023)

ORDER

IN

CRL OP(MD) No.6835 of 2023

Date :13/04/2023

RK/MMS/SAR-4(18/04/2023) 3P/6C