



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

Date : 21/04/2023

PRESENT

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

CRL OP(MD) . No.7450 of 2023

Kannan

... Petitioner/Accused No.1

Vs

The State rep. by
The Inspector of Police,
Natham Police Station,
Dindigul District.
(Crime No.160/2023).

... Respondent/Complainant

For Petitioner : Mr.J.Pooventherarajan,
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.160/2023 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 109,415,341,294(b),323, 349, 324 and 506(ii) of IPC in Crime No. 160 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 04.04.2023 while the defacto complainant was returning to his home nearby the accused grove, he was intercepted and abused the accused persons as if he came there are stealing the cocks. Subsequently he was dragged before the village Panchayat where in defacto complainant was assaulted by the accused persons. Due to the said occurrence, the defacto complainant attempted to commit suicide by consuming poison, hence the case.



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

4. It is seen that due to the attack made by the petitioner the victim consumed poison and admitted in the hospital and his life was saved and he was discharged from the hospital. Taking into consideration all the above facts, 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, Natham, 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 FII registered under Section 229A IPC.

sd/-
21/04/2023

/ TRUE COPY /

WEB COPY

/04/2023

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

AAV

TO

1. The Judicial Magistrate, Natham, Dindigul District.
2. Do through the Chief Judicial Magistrate, Dindigul.
3. The Inspector of Police,
Natham Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.7450 of 2023

Date : 21/04/2023

NA/VR/SAR-2/26.04.2023/3P/5C