



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/05/2023

PRESENT

The Hon`ble Mrs.Justice R. KALAIMATHI

CRL OP(MD) . No.8664 of 2023

Sasikumar ... Petitioner/Accused Rank not known

Vs

The State represented by
The Inspector of Police,
Thanjavur Tamil University Police Station,
Thanjavur District.
(Crime No.69 of 2023)

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.69 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 294(b), 365, 386, 342, 307 and and 506(ii) of IPC in Crime No.69 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband who is working as a professor has sent message to the first accused's mother who is working as a Typist in Tamil University. Due to the same, the first accused and four others kidnapped the defacto complainant's husband to a poultry farm and assaulted him crow bar and sickle, thereby, caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is only the fourth accused. The first and second accused were already released on bail and the third accused was granted anticipatory bail.



4. The learned Government Advocate on instructions would submit that the injured person is discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the fact that the injured person is discharged from the Hospital, this court 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 his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.2, Thanjavur 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 to 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 conditions 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 is 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

10/05/2023

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/05/2023

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

MBI

TO

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

THE JUDICIAL MAGISTRATE NO.II
THANJAVUR.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
THANJAVUR TAMIL UNIVERSITY POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-7255[I] dated 10/05/2023
)

ORDER
IN
CRL OP(MD) No.8664 of 2023
Date :10/05/2023

SS/CG/SAR I/16/05/2023/3P/6C