



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/05/2023
PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8920 of 2023

Suresh Kumar,

... Petitioner/Accused 1

Vs

The State rep.by
The Inspector of Police,
Town Police Station,
Srivilliputhur,
Virudhunagar District.
(In FIR No.577 of 2002).

... Respondent/Complainant

For Petitioner : M/s.MURUGAPPAN.R,
Advocate.

For Respondent : Mr.M.SAKTHI KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- To enlarge the petitioner on Bail in the event of his arrest in connection with the case S.C.No.190 of 2012 on the file of the Principal District Sessions Court, Virudhunagar District at Srivilliputhur.

ORDER : The Court made the following order :-

The petitioner/A.1, who is facing a case for the offences punishable under Sections 324, 506(2) of IPC and Section 3 of TNPPDL Act in S.C.No.190 of 2012 pending on the file of the Principal District Sessions Court, Virudhunagar District at Srivilliputhur, in Crime No.577 of 2002, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, the petitioner and another accused person attacked the informant and others and also damaged door of the hospital. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) would submit at the trial is going on and some of the witnesses have been examined.

5.Considering the facts and circumstances of the case and also considering the oldness of the crime, 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 fifteen days from the date of receipt of a copy of this order, before the Principal District Sessions Court, Virudhunagar District at Srivilliputhur, 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 appear before the trial Court on each and every hearing date without fail and co-operate to complete the trial process.

(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.

7. The learned trial Judge is directed to complete the trial within a period of five months from the date of receipt of a copy of this order.

sd/-

18/05/2023

/ TRUE COPY /

/05/2023

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



SSB

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

2 THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

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

COPY TO:

1 THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.8920 of 2023

Date :18/05/2023

SA/26.05.2023/3P/6C