



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

Date : 18/05/2023

PRESENT

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

CRL OP(MD) . No.9087 of 2023

Vijayamarthandam @ Vijayamarthandan : Petitioner/Accused No.2

Vs.

State rep., by
The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.
(In Crime No.87 of 2023)

: Respondent/Complainant

For Petitioner : Mr.C.Susi Kumar
Advocate.

For Respondent : Mr.M.Sakthi Mumar,
Government Advocate (Crl.Side)

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

PRAYER :-

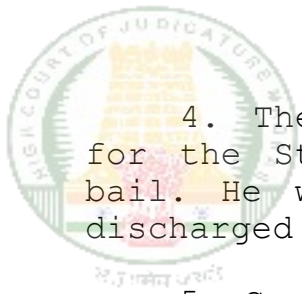
For Anticipatory Bail in Crime No.87 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 307 and 506(ii) of IPC, in Crime No.87 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant, due to which, the petitioner along with other accused persons abused the defacto complainant in filthy language and also attacked him, thereby, he sustained injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.



4. The learned Government Advocate (Criminal Side) for the State would submit that the co-accused were released on bail. He would further submit that the injured has already been discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the facts that the co-accused were released on bail and the injured has been discharged from 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 on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Alangudi, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties **(of which one shall be a blood related surety)** 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 daily twice at 10.00 am and 05.30 pm for a period of one month and thereafter, 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/-

18/05/2023

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

das

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To

1.The Judicial Magistrate, Alangudi.

2.Do through the Chief Judicial Magistrate,
Pudukkottai.

3.The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.

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

+1 CC to M/s.SUSI KUMAR.C, Advocate (SR-7737[I] dated 19/05/2023)

ORDER

IN

CRL OP(MD) No.9087 of 2023

Date : 18/05/2023

NA/CG/SAR- /22.05.2023/3P/6C