



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.9007 of 2023

Sadaiyandi

... Petitioner/Accused Rank
Not known

Vs

The Inspector of Police,
Othakadai Police Station,
Madurai District.
Crime No.128 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Vinothkumar.B,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.128 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), 324, 506(2) of IPC and Section 4 of TNPHW Act, in
Crime No.128 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 and other accused persons abused the defacto
complainant and attacked the defacto complainant. 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. He would further submit that the
co-accused have been granted anticipatory bail by this Court in
Crl.O.P(MD).No.6890 of 2023 on 17.04.2023.



4.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the co-accused were released on anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused were released on anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and 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 learned Judicial Magistrate, Melur, 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 on every Wednesday at 10.30 am., until further orders;

(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.

SSB

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



TO

1. THE JUDICIAL MAGISTRATE, MELUR.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.VINOTHKUMAR B, Advocate (SR-7722[I] dated 19/05/2023)

ORDER

IN

CRL OP(MD) No.9007 of 2023

Date :18/05/2023

RK/CG/SAR- (24/05/2023) 3P/6C