



WEB COPY

CRL OP(MD).



23

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.8991 of 2023

Rajendran ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Theppakulam Police Station,
Madurai City, Madurai District.
(Crime No.200 of 2023)

... Respondent/Complainant

For Petitioner : Mr.Mathan K, Advocate.

For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.200 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), 324, 353 and 506(i) of IPC in Crime No.200 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 13.05.2023, the petitioner abused the defacto complainant in filthy language and thrown a stone at him, thereby causing injury, since the defacto complainant who is the driver of the bus bearing Registration No.TN 5BN 2062 did not stop the bus at Periyar Bus Stand. Hence, the complaint.

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



4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the injured has been discharged from the Hospital.

5.Considering the facts and circumstances of this case, nature of offence alleged and the fact that injured has been 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 fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.I, Madurai 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 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 every Wednesday at 10.30 am., for a period of eight weeks 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.

MBI

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



TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, THEPPAULAM POLICE STATION, MADURAI CITY,
MADURAI DISTRICT.

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

+1 CC to M/s.K.MATHAN, Advocate (SR-7524[I] dated 18/05/2023)

ORDER

IN

CRL OP(MD) No.8991 of 2023

Date :18/05/2023

RS//SAR-(25.05.2023) 3P 6C