



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.9017 of 2023

M.Muneeswaran ... Petitioner/Accused Rank Not Known
Vs

The State rep.by,
The Inspector of Police,
Amayanayakanoor Police Station,
Dindigul District.
Crime No.85 of 2023

... Respondent/Complainant

For Petitioner : Mr.Manimaran.NA,
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.85 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 147,
148, 294(b), 341, 323 and 506(i) of IPC in Crime No.85 of 2023 on
the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 07.05.2023, the
petitioner and other accused assaulted the defacto complainant, who
is an employee of Maya and Maya coffee shop. 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. He would further submit that the
petitioner is not having any previous case.



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, Nilakottai 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 learned Judicial Magistrate, Nilakottai 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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/05/2023

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



TO

1. THE JUDICIAL MAGISTRATE, NILAKOTTAI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL

3. THE INSPECTOR OF POLICE,
AMAYANAYAKANOOR POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.NA.MANIMARAN, Advocate (SR-7563[I] dated 18/05/2023)

ORDER

IN

CRL OP(MD) No.9017 of 2023

Date :18/05/2023

RK/SAR-(26/05/2023) 3P/6C