



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

Date : 13.06.2023

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD)No.10399 of 2023

WEB COPY

G.Dinesh

... Petitioner / Accused No.2

Vs

State rep by
The Inspector of Police,
Mayanur Police Station,
Karur District.
(In Crime No.183 of 2023)

... Respondent / Complainant

For Petitioner : Mr.M.Seenisulthan, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.183 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324 and 506(ii) IPC in Crime No.183 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to family dispute, the petitioner and other accused persons scolded the defacto complainant in filthy language and also attacked him. 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 co-accused was arrested and released on bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured person has already been discharged from the hospital.



5. Considering the above facts and circumstances and the facts that the injured person has already been discharged from the hospital and that except the offence under Section 506(ii) IPC, all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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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 District Munsif cum Judicial Magistrate, Krishnarayapuram, Karur 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 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 at 10.30 a.m., 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.

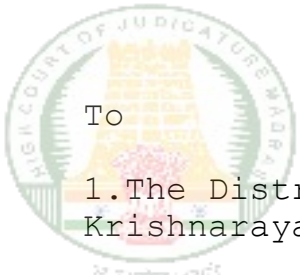
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
13/06/2023

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/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



To

1.The District Munsif cum Judicial Magistrate,
Krishnarayapuram, Karur District.

2.Do through the Chief Judicial Magistrate,
Karur District.

3.The Inspector of Police,
Mayanur Police Station,
Karur District.

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

ORDER

IN

CRL OP(MD) No.10399 of 2023

Date :13/06/2023

ED/BUC/SAR- (19/06/2023) 3P 5C