



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

Date : 20/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.10848 of 2023

WEB COPY

Dheepan@Dheepansakaravathi

... Petitioner / Accused No.2

Vs

State rep by
The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
(Crime No.286 of 2023)

... Respondent / Complainant

For Petitioner : Mr.S.Ramsundarvijayraj, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.286 of 2023 on the file of
the respondent police

ORDER : The Court made the following order :-

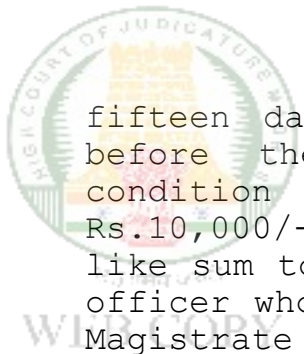
The petitioner/A2 who apprehends arrest at the hands of the
respondent police for the offences punishable under sections 294(b),
323,324 and 506(ii) of IPC in Crime No. 286 of 2023 on the file of
the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons
drove the two wheeler in a rash and negligent manner and when it
was questioned the petitioner herein abused and assaulted the
defacto complainant and threatened with dire consequences.

3. Heard both side and perused the materials available on
record including the First Information Report.

4. Taking into consideration of the facts and circumstances of
the case and also the fact that the injured has been discharged from
the hospital, this court is inclined to grant anticipatory bail to
the petitioner , with certain conditions:

5. Accordingly, the petitioner is ordered to be released on
<https://www.hc.in/judice> in the event of arrest or on his appearance, within a period of



fifteen days from the date on which the order copy made, before the learned Judicial Magistrate No.I, Usilampatti 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall stay at Virudhunagar and report before the Virudhunagar Town Police station daily at 10.30 a.m., and 5.30 pm., for a period of two weeks and thereafter before the respondent police daily at 10.30 am. for a period of two weeks and thereafter as and when required for interrogation. Further the petitioner shall also file an undertaking affidavit before the respondent police that he will not indulge in similar type of activities again and if the petitioner violates the said undertaking the respondent is at liberty to secure the petitioner and proceed in accordance with law.

[c] the petitioner shall not tamper with 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 229A IPC.

sd/-
20/06/2023

/ TRUE COPY /

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

AAV

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



To

1.The Judicial Magistrate No.I,
Usilampatti.

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

3.The Inspector of Police,
Usilampatti Police Station,
Madurai District.

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

Copy to:

The Inspector of Police,
Virudhunagar Town Police Station,
Virudhunagar District.

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-9180[I] dated
20/06/2023)

ORDER

IN

CRL OP(MD) No.10848 of 2023

Date :20/06/2023

ED/VR/SAR- (23/06/2023) 3P 7C