

11.06.2024
SL No.20
Court No.29
TN
(Allowed)

CRM (A) 1861 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Mandarmoni Coastal Police Station Case No.27 of 2024 dated 14.04.2024 under Sections 307/323/325/341/354/506/34 of the Indian Penal Code.

And

In the matter of : **Sk. Samim Uddin**

- petitioner.

Mr. Swapan Kumar Mallick,
Mr. Abhinaba Mukherjee

....for the petitioner.

Ms. Minoti Gomes,
Mr. Samarjit Balial

... for the State.

1. In spite of service, the *de facto* complainant is not represented.
2. The learned Counsel for the petitioner submits that due to boundary dispute, a false complaint has been lodged against the petitioner.
3. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the injury report.
4. Considering the fact that there is a case and counter case and injury suffered due to apparently a free fight which took place between the private parties and also having regard to the nature of the injuries suffered by the victim, we are of the view that the custodial interrogation of the petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sk. Samim Uddin** shall be released on

bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present accused petitioner shall meet the Investigating Officer of this case once in a week or as and when required till submission of the final report and also with a further condition that the present accused petitioner shall appear before the learned trial court within a fortnight from date.

6. Accordingly, the application for anticipatory bail is disposed of.

7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)