

IN THE COURT OF VACATION SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Vacation Sessions Judge, Dindigul.**

Thursday, the 20th day of May 2021

CrI.M.P. No.1814/2021

Sivakumar, 34/2021
S/o. Natarajan

.. Petitioner/Accused

/vs/

State through
Inspector of Police, Kodaikanal PS.
Cr. No.280/2021

.. Respondent/Complainant

This petition is coming on this day for hearing before me in the presence of Tmt.P.Revathi, Advocate for the petitioner and of Thiru. R.Manoharan, Public Prosecutor for the state are on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

The petitioner/accused has filed this petition U/s. 438 of Cr.P.C., to grant him anticipatory bail for the petition filed before the Kodaikanal P.S in Cr. No.Not known/2021 for the alleged offences U/s. 294(b), 324, 506(ii) IPC.

It is stated in the petition that the petitioner/ accused came to known that a criminal case has been registered for alleged offences punishable U/s. 294(b), 323, 506(i) IPC and the respondent police wanted him for arrest.

The learned counsel for the petitioner/ accused stated that the petitioner is innocent and never committed any offence as alleged by the prosecution, that there existed enmity between the petitioner and the defacto complainant, that in order to take revenge, this false case has been foisted against the petitioner, that the injured was discharged from the hospital, that the petitioner is law abiding citizen and he has permanent abode, hence there is no chance for absconding, that the petitioner apprehends for arrest and he prays for anticipatory bail.

The learned Public Prosecutor for the State vehemently raised objection for anticipatory bail stating that on 03.05.2021, these accused abused him in filthy language, attacked him with weapons and threatened him with dire consequences, hence the case. He has conceded that injured was discharged from the hospital. He further stated that case was registered against the petitioner in Cr.No.280/2021.

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Online submission of either side heard. Records perused. The learned counsel for the petitioner argued that now FIR was registered against the petitioner/accused in Cr.No.280/2021 of Kodaikanal Police station. He further stated that at the time of filing bail petition, he has not known fact that the FIR was registered, hence the same may kindly be inserted in the petition and seeks anticipatory bail. Considering the above fact and the learned Public Prosecutor conceded the same, it is necessary to includes the Cr.No.280/2021 in this petition. Considering the facts that injured has already been discharged from the hospital as stated by the learned Public Prosecutor, that except the offence u/s. 506(ii) IPC, other offences are bailable in nature and on considering the prevention measure of COVID-19 Pandemic and the urgent need and necessity to ensure social distancing and upon considering the facts and circumstances of the case, this Court inclines to grant anticipatory bail to the petitioner/accused with stringent condition. Anticipatory Bail is granted to the petitioner/accused on strict compliance of the following conditions.

1. The petitioner/ accused shall in the event of arrest by the respondent police or his surrender before the learned District Munsif cum Judicial Magistrate, Kodaikanal **in between the period from 05.07.2021 to 19.07.2021** be released on bail on executing his own bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Magistrate without fail, failing which the anticipatory bail shall stands cancelled automatically.
2. The petitioner/ accused shall make himself available for interrogation by the police officer as and when required.
3. The petitioner/ accused shall not directly or indirectly make any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.
4. The petitioner/ accused shall not leave the town without prior permission of the court.
5. The petitioner/ accused shall not tamper with evidence or witness either during investigation or trial.
6. The petitioner/ accused shall not abscond either during investigation or trial.

Pronounced by me, this the 20th day of May 2021.

Sd/- M.K.Jamuna
Vacation Sessions Judge,
Dindigul

- Since this bail order is electronically generated, does not require signature and court seal.
- This order is available in E-Courts Official Web Site,
" <https://districts.ecourts.gov.in/case status/case number>"

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Copy to

The District Munsif-Cum-Judicial Magistrate, Kodaikanal
The Public Prosecutor, Dindigul.

The Inspector of Police, Kodaikanal PS.,

Ttm.P.Revathi, Advocate
for the petitioner.

To ensure social distancing, they are requested to
download the order from the official web site link.