



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

Monday, the Twenty Eighth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.1177 of 2019

1 SOLAI @ SOLAIMUTHU
2 A.KARNAN
3 V.MURUGESAN
4 MALAIKANNAN
5 NAGAMMAL @ NAGAVALLI
6 PRABU @ PRABURAJA
7 POTTAIYAMMAL W/o.MUKKAN
8 SIVAGAMI
9 POTTAIYAMMAL W/o.KARUPPAN
10 C.PUSHPAM

... PETITIONERS/ ACCUSED
A1 to A10

Vs

THE SUB INSPECTOR OF POLICE
SIPCOT POLICE STATION,
MANAMADURAI,
SIVAGANGAI DISTRICT.
Crime No.20/2019

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.P.PARANTHAMAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 427 and 506(ii) I.P.C, in Crime No.20 of 2019, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant, due to which the petitioners assaulted the defacto complainant and abused him by using his caste name. Hence the complaint.

3.The learned counsel for the petitioners would submit that the defacto complainant and others quarrelled with the petitioners by using their caste name and assaulted them with deadly weapons. Hence



the first petitioner lodged a complaint before the respondent police as against the defacto complainant, in which a case has been registered in Crime No.21 of 2019 for the offence punishable under Sections 147, 148, 294(b), 324, 354, 506(ii) I.P.C 3(1)(r), 3(2), (va) of SC/ST POA Act of 2015.

4. Heard the learned Government Advocate (Criminal Side) for the respondent.

5. Considering the facts and circumstances of the case and also considering fact that the case and counter case, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Manamadurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the said Magistrate, on further condition that:

[a] the petitioners shall appear before the respondent police as and when required for interrogation.

[b] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
28/01/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
MANAMADURAI.

2. THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3. THE SUB INSPECTOR OF POLICE
SIPCOT POLICE STATION, MANAMADURAI,
SIVAGANGAI DISTRICT.

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

+1. CC to Mr.P.PARANTHAMAN Advocate SR.No.1545

ORDER

IN

CRL OP(MD) No.1177 of 2019

Date :28/01/2019

TK/VR/SAR-1/05.02.2019/3P/6C