



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

Wednesday, the Thirtieth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.1462 of 2019

1 T. SAVARIMUTHU
2 T. SANIKULAS
3 T. MANICKAM
4 J. JOHN MANICKAM
5 J. ARULRAJ
6 M. VEERATHASAN
7 A. PANCHAVARNAM @ PANJAVARANAM
8 S. KALIAMMAL ... PETITIONERS / ACCUSED 1 TO 8

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
SOORANKUDI POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME .NO.5 OF 2019) ... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.SENTHIL MURUGAN Advocate

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

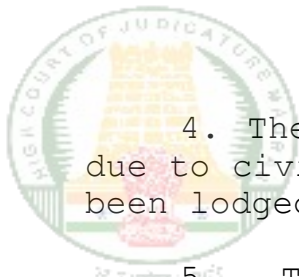
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 323 and 506(ii) of IPC in Cr.No.5 of 2019 seek anticipatory bail.

2. The case of the prosecution is that on 20.01.2019, the petitioners unlawfully assembled and quarrelled with the *de facto* complainant with regard to previous enmity and assaulted the *de facto* complainant and caused injury.

3. The learned counsel for the petitioners would submit that it is a case in counter and on the complaint given by the petitioners, the case was also registered against the *de-facto* complainant .
<https://hcservices.ecourts.gov.in/hcservices/>



4. The learned Government Advocate (Crl.Side) would submit that due to civil dispute between the parties, case and counter case have been lodged by the respective parties.

5. Taking into consideration the facts of the case and the submissions by learned counsels, this Court 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, before the learned Judicial Magistrate, Vilathikulam 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 conditions that:

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

[b] the petitioners shall report before the respondent police as and when required for interrogation

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
30/01/2019

/ TRUE COPY /

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



1. THE JUDICIAL MAGISTRATE,
VILATHIKULAM.

2. THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,
SOORANKUDI POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1. CC to Mr.C.SENTHIL MURUGAN Advocate SR.No.1775

PS/PN/SAR-3/04.02.2019/3P/6C

ORDER

IN

CRL OP(MD) No.1462 of 2019

Date :30/01/2019