



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

Friday, the Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2077 of 2019

1 PANEER SELVAM
2 DHANAPAL

... PETITIONERS/ ACCUSED No. 1 & 2

Vs

THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.44/2019)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.S.SATHYA CHIDAMBARAM 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 offence under Sections 448, 323, 294(b) and 506(i) IPC in Cr.No.44 of 2019 on the file of the respondent police, seek anticipatory bail.

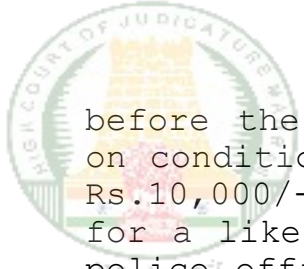
2.The case of the prosecution is that the petitioners are brothers. The first petitioner borrowed a sum of Rs.1,50,000/- from the defacto complainant as hand loan. While demanding money, the petitioners entered into the house of the defacto complainant and abused the defacto complainant in filthy language and also attacked him. Therefore the present complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not commit any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) would submit that the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, 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, Manaparai, Trichy District 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners in 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

08/02/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
MANAPARAI, TRICHY DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY

3 THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION, TRICHY DISTRICT.

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

+1. CC to MR.S.SATHYA CHIDAMBARAM Advocate SR.No.2719