



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

Friday, the Eighth day of February Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2089 of 2019

1 KALAIVENDAN @ MURUGESAN
2 MUNIYANDI

... PETITIONERS / ACCUSED NO.1 & 2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
M.REDDIAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN CRIME NO.15/2019

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SABBANI KARPURA JOTHI, Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

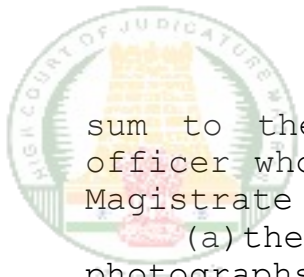
The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 324, 506(i) IPC in Cr.No.15 of 2019 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that due to some wordy quarrel, the petitioners are said to have threatened the defacto complainant with dire consequences and abused them in filthy language. Hence, the complaint.

3.The learned Additional Public Prosecutor would submit that this is a case and case in counter. Due wordy quarrel the petitioners and the defacto complainant attacked each other.

4.Considering the facts and circumstances of the case and the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners.

5.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, Aruppukkottai 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 06.30 p.m., for a period of two weeks thereafter, 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]**; 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,
ARUPPUKKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
M.REDDIAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.THIRUMAL, Advocate (SR-2806 dated 11/02/2019)

ORDER

IN

CRL OP(MD) No.2089 of 2019

Date : 08/02/2019