



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

Wednesday, the Ninth day of January Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

CRL OP(MD) No.354 of 2019

1.MURUGESAN

2.KAVI@KATHIRESAN

... PETITIONERS / ACCUSED  
2 and 3

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
VADAKKADU POLICE STATION,  
PUDUKKOTTAI DISTRICT.  
Crime No.4 of 2019

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.S.T.SASIDHARAN TAMILKANI 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 apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 332 and 506(i) of IPC, in Cr.No.4 of 2019 seek anticipatory bail.

2.The case of the prosecution is that on 05.01.2019, when the petitioners travelled in a bus, they along with first accused prevented the Conductor from doing his official duty, abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that a false case has been foisted against them and they had nothing to do with the alleged crime.

4.The learned Government Advocate (Crl. Side) submits that the co-accused in this case has been arrested and remanded in judicial custody.



5. Taking into consideration the facts of the 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, Alangudi, Pudukkottai District, 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] 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 daily at 10.30 a.m. for a period of two weeks and 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
09/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,  
ALANGUDI, PUDUKKOTTAI DISTRICT.

<https://hcservices.mca.gov.in/hcservices/>  
2. THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI DISTRICT.



3. THE INSPECTOR OF POLICE,  
VADAKKADU POLICE STATION,  
PUDUKKOTTAI DISTRICT.

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

+1. CC to Mr.S.T.SASIDHARAN TAMILKANI Advocate SR.No.513

ORDER

IN

CRL OP (MD) No.354 of 2019

Date : 09/01/2019

TK/VR/SAR-3/11.01.2019/3P/6C