



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

Monday, the Fifteenth day of April Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

**CRL OP(MD) No.5383 of 2019**

1.M.ARUN  
2 S.SAKTHI  
3 P.SANKAR  
4 P.KARTHICK,  
5 P.RAMARAJ  
6 P.BALAMURUGAN,  
7 M.DHINESH  
8 M.NAVEEN,

... PETITIONERS / ACCUSED

Vs

THE STATE THROUGH  
THE INSPECTOR OF POLICE,  
THOTTIYAM POLICE STATION,  
TRICHY DISTRICT.  
(IN CRIME NO.82/2019)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.M.KAMATCHI Advocate

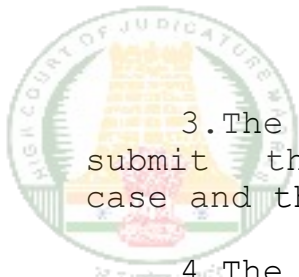
For Respondent : MR.K.SUYAMBULINGA BHARATHI,  
Govt. Advocate ( Crl. Side)

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 under Sections 147, 148, 294(b), 324, 307 and 506(ii) of IPC in Cr.No.82 of 2019, on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that on 03.04.2019 at about 12.15 a.m., while the defacto complainant and his brother and his friends all were moved at slope of Vannarapaettai with handling of flower plate, at that time the accused persons were also came opposite direction of the same place and waylaid the defacto complainant and attacked them.



3.The learned counsel appearing for the petitioners would submit that the petitioners have been falsely implicated in this case and they have nothing to do with the alleged offence.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that injured has been discharged from the hospital

5.Considering the facts and circumstances of the case and considering the fact that the injured had been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners. 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, Musiri, 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 and 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/-  
15/04/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,  
MUSIRI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.

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

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

+1. CC to MR.M.KAMATCHI Advocate SR.No.6896

ORDER

IN

CRL OP (MD) No.5383 of 2019

Date :15/04/2019

AE/MMS/SAR-III/22.04.2019/4P/6C