



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 20/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.5265 of 2019

1. D. Ananthkumar,
2. T. Muthukumar,
3. A. Satheeshkumar, ... Petitioners/Accused rank not known

Vs

State rep.by
The Inspector of Police,
Thennilai Police Station,
Karur District.
(Crime No.not known of 2019). ... Respondent/Complainant

For Petitioners : Mr.R.Mathiyalagan,
Advocate.
For Respondent : Mrs.M.Anantha Devi,
Govt.Advocate (Crl.Side).

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

PRAYER :-

For anticipatory bail in cr.no. not known of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

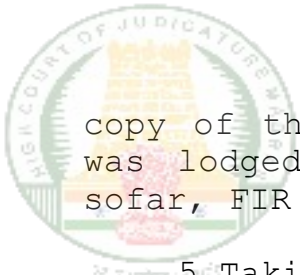
The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 323 and 506 (i) of IPC, in Crime No.not known of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that due to wordy quarrel, the defacto complainant lodged a false complaint on 29.03.2019. But, sofar, FIR has not been registered and and therefore, he prayed anticipatory bail to the petitioners.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate (Crl.Side) has produced a



copy of the complaint. It seen from the complaint, the complaint was lodged on 29.03.2019 and CSR.No.26 of 2019 was issued. But, sofar, FIR has not been registered.

5. Taking into consideration the aforesaid fact, this Court is inclined to grant interim anticipatory bail to the petitioners till the registration of the FIR with certain conditions.

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, No.II, Karur 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) Once FIR is registered, this order has become infructuous. It is open to the petitioner to file a fresh application. Interim anticipatory bail is granted only till the registration of the FIR.

(ii) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(iii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iv) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(v) the petitioners shall not abscond either during investigation or trial.

(vi) 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].

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

sd/-
20/06/2019

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.II,
KARUR.

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

3 THE INSPECTOR OF POLICE,
THENNILAI POLICE STATION,
KARUR DISTRICT

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

+1 CC to MR.R.MATHIYALAGAN, Advocate (SR-10090[I] dated
20/06/2019)

ORDER

IN

CRL OP(MD) No.5265 of 2019

Date :20/06/2019

dss

AE/JC/SAR-III (28.06.2019) 3P 6C