



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

Tuesday, the Sixteenth day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) Nos.5745 and 5754 of 2019

1 SUNDAR @ MEENAKSHISUNDARAM

2 ARASAPPAN @ PALANIYAPPAN,

... PETITIONERS / ACCUSED no.1 & 2
IN CRL OP(MD)NO.5745 OF 2019

1 R.MANIMARAN

2 P.RAMAKRISHNAN

...PETITIONER/ACCUSED 3 & 4
IN CRL OP(MD)NO.5754 OF 2019

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KEELAVALAVU POLICE STATION,
MADURAI.

(IN CRIME.NO.101/2019)

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : Mr.K.MUTHUMALAI Advocate
(IN CRL OP(MD)NO.5745 OF 2019)

For Petitioner : Mr.M.LINGADURAI Advocate
(IN CRL OP(MD)NO.5754 OF 2019)

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor
(IN BOTH PETITIONS)

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 323, 294(b) and 506(ii) IPC in Cr.No.101 of 2019 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that due to civil dispute, there was a wordy quarrel arose between them, for which, the petitioner abused the defacto complainant with filthy language and threatened him. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution.



4.The learned Additional Public Prosecutor appearing for the respondent would submit that no one is injured.

5.Considering the facts and circumstances of the case and considering the fact that no one is injured, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are 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, Melur, Madurai 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 and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners/accused Nos.1,2 and 3 shall report before the respondent police daily at 10.30 a.m., until further orders and since the fourth accused is aged about 83 years, the petitioner/fourth accused shall report before the respondent police 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 petitioner 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/-
16/04/2019

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE
MULUR, MADURAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE
KEELAVALLAVU POLICE STATION, MADURAI.

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

+1. CC to Mr.K.MUTHUMALAI Advocate SR.No.6894

+1. CC to Mr.M.LINGADURAI Advocate SR.No.6837

PS/VR/SAR-2/23.04.2019/3P/7C

ORDER

IN

CRL OP(MD) No.5745 and 5754 of 2019

Date :16/04/2019