

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 14/06/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.6134 of 2019

1. Murugaboopathy
2. Mariammal

... Petitioners/Accused
Rank not known

Vs

The state rep.by,
The Inspector of Police,,
Aruppukkottai Taluk Police Station,
Virudhunagar.
Cr.No. 92 of 2019.

... Respondent/Complainant

For Petitioner : M/s.N.Karthik Kanna,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Govt.Advocate (Crl.Side).

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

PRAYER :-

For anticipatory bail in cr.no.92 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),
324, 355, 506(ii) of I.P.C and Section 4 of TNPHW, in Crime No.92
of 2019, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel
arose between the petitioners and the de facto complainant, due to
which, the petitioners assaulted the de facto complainant and caused
injuries.

3.The learned counsel appearing for the petitioners has
submitted that the petitioners are innocent persons and they have
been falsely implicated in this case. He has further submitted that
the injured sustained simple injury and discharged from the

hospital and he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent has submitted that the injured has been discharged from the hospital and the investigation is still pending.

5.Taking into consideration of the fact that the injured person sustained only simple injuries and also discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 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, Aruppukottai, 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) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police weekly once i.e., Every Monday at 10.30.am, until further orders.

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

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

(v) 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].

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

sd/-
14/06/2019

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TO

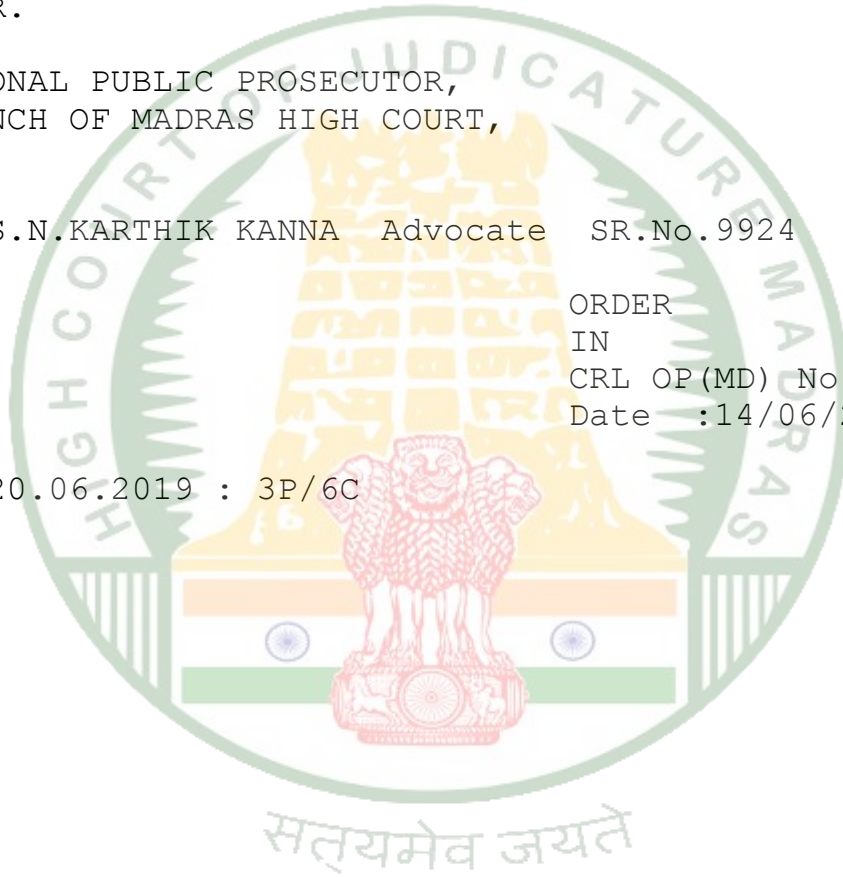
1. THE JUDICIAL MAGISTRATE,
ARUPPUKKOTTAI, VIRUDHUNAGAR DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
3. THE INSPECTOR OF POLICE,
ARUPPUKKOTTAI TALUK POLICE STATION,
VIRUDHUNAGR.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.N.KARTHIK KANNA Advocate SR.No.9924

ORDER
IN
CRL OP(MD) No.6134 of 2019
Date :14/06/2019

DAS

PK/PN/SAR-1/20.06.2019 : 3P/6C



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