



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) No.6700 of 2019

1 GOVINDARAJ

2 CHITRA

... PETITIONERS / ACCUSED 1 & 2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.125 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.SENDHILKUMAR Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

For Intervener : MR.H.ARUMUGAM, Advocate

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

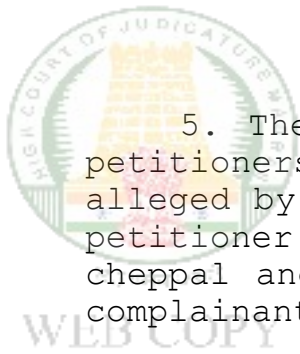
ORDER : The Court Made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 355 and 306 IPC, in Crime No.125 of 2019, on the file of the respondent police, seek anticipatory bail.

2. Heard Mr.M.Sendhilkumar, learned Counsel for the petitioners and Mr.A.Robinson, learned Government Advocate (Crl.Side) appearing for the State.

3. The case of the prosecution is that the petitioners assaulted the brother of the defacto complainant with cheppal due to wordy quarrel erupted between them, thereby the brother of the defacto complainant committed suicide by hanging himself. Hence, the complaint.

4. The learned Government Advocate (Crl.Side) on instructions would submit that he has no serious objection for grant of anticipatory bail to the petitioners.



5. The learned counsel for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the first petitioner slapped the brother of the defacto complainant with cheppal and assaulted him, out of which the brother of the defacto complainant committed suicide by hanging.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with stringent conditions.

7. 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, Orathanadu, Thanjavur District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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) the petitioners as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

(ii) the petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders.

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

(iv) the petitioners shall co-operate for the investigation and the trial. The petitioner shall not abscond either during investigation or trial and in event of the petitioner absconds, the respondent police shall register a case as provided under Section 229-A IPC.

(v) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and 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]**.

sd/-
15/05/2019

/ TRUE COPY /

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

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.B.FIRDOUSE BEGUM, Advocate (SR-8318[I] dated
15/05/2019)

ORDER

IN

CRL OP (MD) No.6700 of 2019

Date :15/05/2019

JM/JC/SAR 1/23.05.2019/3P/6C