



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

Wednesday, the Fifteenth day of May Two Thousand and Nineteen
PRESENT

The Hon'ble Mr Justice B.PUGALENDHI

WEB COPY

CRL OP (MD) No.7001 of 2019

1 GOPINATH

2 NAGARAJ

... PETITIONERS / ACCUSED

Vs

THE STATE,
REP.BY INSPECTOR OF POLICE,
KARUPPAYOORANI POLICE STATION,
MADURAI DISTRICT
(CRIME NO.66 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.G. THALAIMUTHARASU Advocate

For Respondent : Mr.A.Robinson, Govt. Advocate (Crl. Side)

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 323, 427 and 506(i) IPC in Crime No.66 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.Heard Mr.G.Thalaimutharasu, 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 there was wordy quarrel arose between the defacto complainant and the petitioners regarding the purchase of land and the petitioners are said to have damaged the two wheeler worth about Rs.2,000/-.

4.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He on instructions from the petitioners, would submit that the petitioners are ready and willing to deposit the damage amount to the credit of crime number, without prejudice their contention before the lower Court. Hence, he prays to grant anticipatory bail to this petitioners.



5.The learned Government Advocate (Crl. Side) appearing for the respondent Police opposes the grant of anticipatory bail.

6.Taking into consideration the facts and circumstances of the case and considering the fact that the petitioners are ready to deposit the damage amount to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with the following 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 on which the order copy was made ready before the learned Judicial Magistrate II, Madurai on condition that the petitioners shall execute a separate 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 and on further conditions that:-

[a] 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.

[b] the petitioners shall jointly deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Crime No.66 of 2017 before the learned Judicial Magistrate II, Madurai.

[c]the petitioners shall report before the respondent police daily 10.30 a.m., until further orders.

[d] the petitioners shall not tamper the evidence or witness either during investigation or trial.

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

[f] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioners, as per the principles laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-
15/05/2019

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

TO

<https://hcservices.ecourts.gov.in/hcservices/>
THE JUDICIAL MAGISTRATE II,
MADURAI



2 -DO-THRO-THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
KARUPPAYOORANI POLICE STATION,
MADURAI DISTRICT

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

+1. CC to M/S.G. THALAIMUTHARASU Advocate SR.No.8527

ORDER
IN
CRL OP(MD) No.7001 of 2019
Date :15/05/2019

ES/JC/SAR 1/20.05.2019/3P/6C