

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

Thursday, the Sixteenth day of May Two Thousand Nineteen

PRESENT

**The Hon`ble Mr Justice B.PUGALENDHI**

**CRL OP(MD) No.7201 of 2019**

1 ILLAIYARAJA  
2 JEYA  
3 KALAIVANI  
4 AMARAVATHY  
5 REGUKAVALAN

... PETITIONERS/ACCUSED No.1 to 4 &  
ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY,  
THE INSPECTOR OF POLICE,  
KALLAPERUMBUR POLICE STATION,  
THANJAVUR DISTRICT  
(CRIME NO. 46 OF 2019)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.A.ARUN PRASAD, Advocate

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

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, in connection with Crime No.46 of 2019, for the offence punishable under Sections 147, 148, 294(b), 324 and 506(ii) IPC, seek anticipatory bail.

2.Heard Mr.A.Arun Prasad, 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 due to the money dispute between the first petitioner and the defacto complainant, there was a wordy quarrel arose between the petitioners and the defacto complainant. Hence, the complaint.

4.The learned Counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

5.The learned Government Advocate (Crl. Side), on instructions from the respondent Police submitted that the fifth petitioner is not arrayed as an accused in Cr.No.46 of 2019. He further submitted that the first petitioner is not having any previous case and the victim had sustained only simple injury.

6. Considering the fact that the victim has sustained only simple injury and also considering the fact that the fifth petitioner is not arrayed as an accused in Cr.No.46 of 2019, this Court is inclined to grant anticipatory bail to the petitioners 1 to 4 subject to the following conditions.

7. Accordingly, the petitioners 1 to 4 are ordered to be released on bail in the event of their 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 No.II, Thanjavur on condition that each of 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 1 to 4 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 1 to 4 shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners 1 to 4 shall not tamper the evidence or witness either during investigation or trial.

[d] the petitioners 1 to 4 shall co-operate for the investigation and the trial. The petitioners 1 to 4 shall not abscond either during investigation or trial and in event of the petitioners 1 to 4 absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] 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 1 to 4, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

8. The learned Counsel for the petitioners submitted that the third petitioner's name is only Kalaivani, W/o Loganathan, however, the respondent has registered her name in the F.I.R., as Kalaiarasi.

9. In view of the above, the learned Judicial Magistrate concerned can verify the name of the third petitioner with her Aadhar card and can accept the sureties for the third petitioner.

sd/-  
16/05/2019

/ TRUE COPY /

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

TO

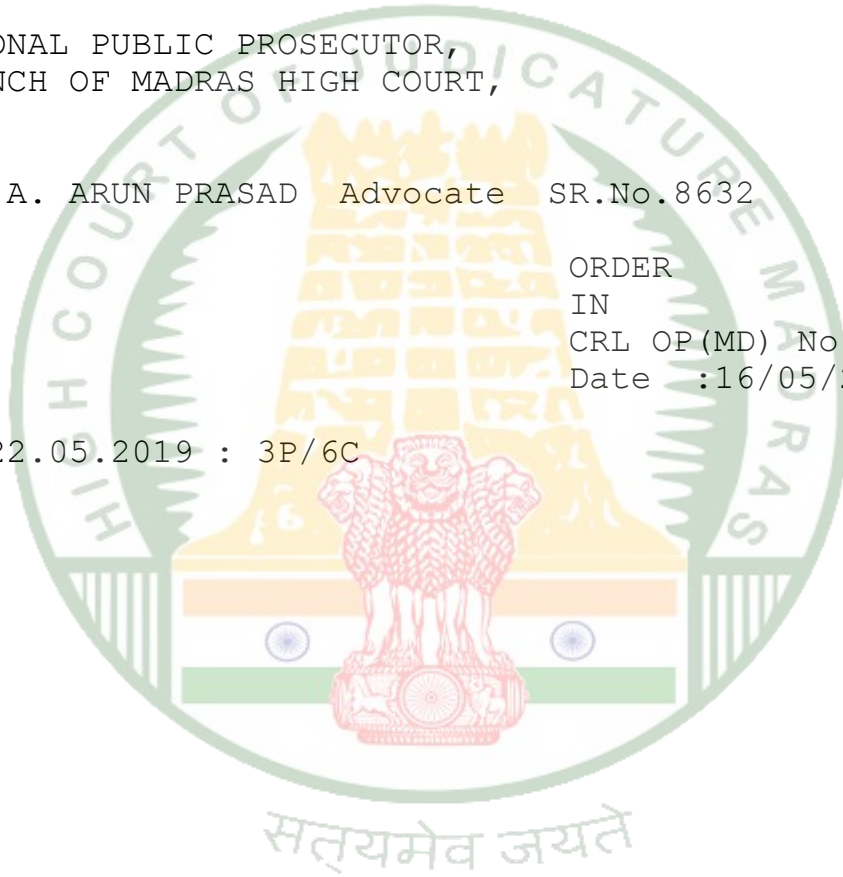
1. THE JUDICIAL MAGISTRATE NO.II  
THANJAVUR DISTRICT
2. THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM
3. THE INSPECTOR OF POLICE  
KALLAPERUMBUR POLICE STATION,  
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to MR.A. ARUN PRASAD Advocate SR.No.8632

ORDER  
IN  
CRL OP(MD) No.7201 of 2019  
Date :16/05/2019

SSL

PK/PN/SAR-3/22.05.2019 : 3P/6C



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