



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

Date : 10/06/2019

PRESENT

WEB COPY

**The Hon`ble Mr.Justice P.RAJAMANICKAM**

CRL OP(MD) . No.7848 of 2019

1. S.Perumal
2. S.Murugan
3. N.Banupriya
4. S.Narayanadhass
5. M.Palani

... Petitioners/Accused  
(Not Known)

- Vs-

State Rep.by  
The Inspector of Police,  
Radhapuram Police Station,  
Tirunelveli District.  
Crime No.110/2019.

... Respondent/Complainant

For Petitioners: M/s.K.Petchi Muthu,  
Advocate.

For Respondent : Mr.V.Neelakandan,  
Additional Public Prosecutor.

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

**PRAYER :-**

For Anticipatory Bail in Crime No.110/2019 on the file of the respondent police.

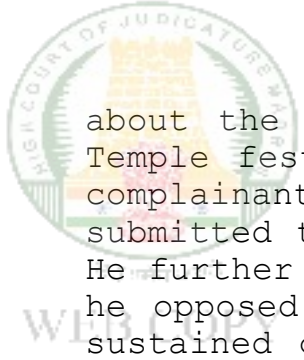
**ORDER :** The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323 and 506(i) of IPC and Section 4 of TNPHW Act, 2002, in Crime No.110 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and they have been falsely implicated in the above case. He further submitted that the injured persons sustained only simple injury and they were discharged from the hospital. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent has submitted that when the defacto complainant asked



about the accounts with regard to the amount spent for the Amman Temple festival, the petitioners herein have assaulted the defacto complainant and three others and caused simple injuries. He further submitted that there is no case is pending against the petitioners. He further submitted that the investigation is still pending. Hence, he opposed this petition. However, he fairly conceded that injured sustained only simple injury and they were already discharged from the hospital.

5. Taking into consideration the fact that no previous case is pending against the petitioners and also the fact that the injured persons sustained only simple injury and they were already discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners by imposing 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, Valliyur, 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 daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(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/-

10/06/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, VALLIYUR.
2. DO-TROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,  
RADHAPURAM POLICE STATION,  
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.K.PETCHI MUTHU Advocate SR.No.9310

ORDER

IN

CRL OP(MD) No.7848 of 2019

Date :10/06/2019

**MS/PN/SAR-3/14.06.2019/3P.6C**