



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 19/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8461 of 2019

1. Gowtham,
2. Vikki @ Vignesh,
3. Ramesh @ Rameshbabu, ... Petitioners/Accused 1-3

Vs

State represented by
The Inspector of Police,,
Thirumangalam Town Police Station,
Madurai District,
Crime No.273/2019. ... Respondent/Complainant

For Petitioners : M/s.A.Mohandoss,
Advocate.
For Respondent : Mrs.M.Ananthadevi,
Govt.Advocate (Crl.Side).

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

PRAYER :-

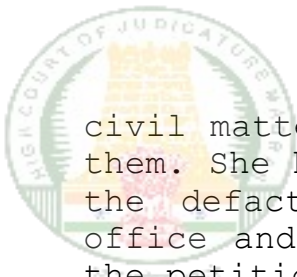
For Anticipatory Bail in Crime No.273/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 294(b), 323, 427 and 506(i) of IPC, in Crime No.273 of 2019, seek anticipatory bail.

2.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and they have not committed any offence. They have been falsely implicated in the above said case. Hence, he prayed to grant anticipatory bail to the petitioners.

3.The learned Government Advocate (Criminal Side) appearing for the respondent has submitted that the petitioners are engaged in one



civil matter, due to which, there was a wordy quarrel arose between them. She has further submitted that the petitioners trespassed into the defacto complainant's office and damaged the name board of office and some articles. Hence a case has been registered against the petitioners.

WEB COPY

4. Taking into consideration of the fact that there was a wordy quarrel between the parties and no one sustained any injury, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 No.VI, Madurai, 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) the petitioners shall deposit a sum of Rs.3,000/- (Rupees Three Thousand Only) each to the credit of Crime No.273 of 2019, before the learned Judicial Magistrate No.VI, Madurai, without prejudice their defence before the trial court.

(ii) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(iii) 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.

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

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

(vi) 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].

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

sd/-

19/06/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTERATE NO.VI,
MADURAI.

2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to MR.M.SENDHIL KUMAR, Advocate (SR-10056[I] dated 20/06/2019
)

ORDER

IN

CRL OP (MD) No.8461 of 2019

Date :19/06/2019

DAS

AE/PN/SAR-I (24.06.2019) 3P 6C