



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

Wednesday, the Twenty Third day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.925 of 2019

1 SELVAGANESAN
2 PERUVAZHUTHI
3 ARUN @ ARUNPANDIAN

... PETITIONERS/ACCUSED No.1 to 3

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
M1-PALLATHUR POLICE STATION,
SIVAGANGAI DISTRICT.
(CR.NO.7/2019)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.P.SUBBARAJ, Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 506(ii) of IPC r/w.3(1) of TNPPDL Act in Cr.No.7 of 2019 seeks anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel the petitioners damaged the auto of the defacto complainant worth Rs.2000/-

3. The learned counsel for the petitioners would submit that a false case have been foisted against them and they have nothing to do with the alleged offence . However without prejudice to their contention they are willing to deposit a sum of Rs.2000/- to the credit in Crime no. 7 of 2019 and prayed for anticipatory bail.

4. The learned Government Advocate(Crl.Side) would submit that there was a wordy quareel between the petitioner and the defacto complainant and the damage assessed about Rs.2,000/-

5. Taking into consideration the facts of the case and the submissions by learned counsels ,this Court inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the



learned Judicial Magistrate, Karaikudi 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 said Magistrate, on further condition that [a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall deposit a sum of Rs.2,000/- (Rupees Two thousand only) to the credit of Cr.No.7 of 2019 before the Judicial Magistrate, Karaikudi, without prejudice to their defence before the trial Court.

[c] the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation

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

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

23/01/2019

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

TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI, SIVAGANGAI DISTRICT
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT
3 THE INSPECTOR OF POLICE
M1-PALLATHUR POLICE STATION, SIVAGANGAI DISTRICT.

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

+1. CC to MR.P.SUBBARAJ Advocate SR.No.1177

ORDER

IN

CRL OP(MD) No.925 of 2019

Date :23/01/2019