



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/07/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.10019 of 2019

1. Subramanian
2. Natarajan
3. Kathirvel

... Petitioners/Accused Nos.1 to 3

Vs

State Rep.by
The Inspektor of Police,
Vangal Police Station,
Karur District.
(Crime No.160 of 2019).

... Respondent/Complainant

For Petitioners : M/s.K.Muthuvai Ilayaraja,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory Bail in Crime No.160/2019 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 294(b), 323 and 506(i) of IPC, in Crime No.160 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 as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioners.

3.Per contra the learned Government Advocate (Criminal Side) for the respondent has submitted that there was a wordy quarrel



arose between the petitioners and the defacto complainant, due to which, the petitioners assaulted the defacto complainant and caused injuries. Investigation is still pending. Therefore, she opposed this petition. However, she fairly conceded that the injured has been discharged from the hospital.

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4. Taking into consideration of the aforesaid facts and also the fact that the dispute arose on account of wordy quarrel and also the fact that the injured has been discharged from the hospital, 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 Magistrates No.II, Karur District, 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/-

16/07/2019

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



TO

1. THE JUDICIAL MAGISTRATE NO.II, KARUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE INSPECOTOR OF POLICE,
VANGAL POLICE STATION, KARUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.MUTHUVAI ILAYARAJA Advocate SR.No.11801

ORDER
IN
CRL OP(MD) No.10019 of 2019
Date :16/07/2019

MS/PN/SAR-4/24.07.2019/3P.6C