



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

Date : 06/08/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10952 of 2019

1. Parameshwaran
2. Pitchaimani

... Petitioners/Accused No.1 & 2

Vs

The State through,
The Sub Inspector of Police,
Andipatti Police Station,
Theni District,
In Crime No.312 of 2019.

... Respondent/Complainant

For Petitioner : M/s.P.Sivachandran,
Advocate

For Respondent : Ms.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :

For Anticipatory Bail in Crime No. 312 of 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)
and 506(i) of IPC, in Crime No.312 of 2019, seek anticipatory bail.

2.The learned counsel appearing for the petitioners has
submitted that the petitioners are innocent and due to wordy
quarrel, they have been falsely implicated in this case. He further
submitted that the no one sustained injury in the alleged
occurrence. Hence, he prayed for grant of anticipatory bail to the
petitioners.

3.Per contra, the learned Additional Public Prosecutor
appearing for the respondent has submitted that a wordy quarrel
arose between the parties, in which, the petitioners' party attacked
the defacto complainant party. Hence, he opposed this petition, as



investigation is pending. However, he fairly conceded that the no one sustained injury.

4. Taking into consideration of the fact that no one sustained injury and also the fact that only wordy quarrel arose between the parties, this Court is inclined to grant anticipatory bail to the petitioners by imposing 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, Andipatti, Theni District on condition that the petitioners shall each 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:

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

[b] the petitioners shall report before the respondent Police daily at 10.00 a.m for a period of three weeks and thereafter, as and when required for the interrogation.

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

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

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
06/08/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, ANDIPATTI,
THENI DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3. THE SUB INSPECTOR OF POLICE
ANDIPATTI POLICE STATION, THENI DISTRICT.

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

+1. CC to M/S.P.SIVACHANDRAN Advocate SR.No.13029

ORDER

IN

CRL OP(MD) No.10952 of 2019

Date : 06/08/2019

VS

PK/PN/SAR-4/16.08.2019 : 3P/6C