



WEB COPY

CRL OP(MD). No.11171 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.11171 of 2019

1. Kaliyaperumal
2. Duraipandian
3. Nandhakumar
4. Nallusamy
5. Thiyagarajan
6. Rengarajan
7. Sasikumaran

... Petitioners/Accused
Rank Not Known

-Vs-

State Rep.by
The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
(Crime No.205/2019).

... Respondent/Complainant

For Petitioners: M/s.J.Jeyakumaran,
Advocate.

For Respondent : M/s.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.205 of 2019 on the file of the respondent

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 294 (b), 506(i) IPC, seek anticipatory bail.

2.Heard both sides.



3.The case of the prosecution is that during the temple festival, there was a wordy quarrel arose between the defacto complainant and the petitioners and the petitioners abused the defacto complainant. With regard to the same, a civil suit is also pending.

WEB COPY

4.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution.

5.The learned Government Advocate(Crl.side) appearing for the respondent police has submitted that in the said occurrence, no one sustained injury.

6.Taking into consideration of the fact that no one injured in the alleged occurrence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) 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 10.30 a.m for a period of three weeks and thereafter, as and when required for the interrogation.

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

[d] the petitioners shall not abscond 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].



CRL OP(MD). No.11171 of 2019

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

sd/-
08/08/2019

/ TRUE COPY /

WEB COPY

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

TO

1. THE JUDICIAL MAGISTRATE, THURAIYUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.JEYAKUMARAN Advocate SR.No.13293

ORDER
IN
CRL OP(MD) No.11171 of 2019
Date :08/08/2019

MS/VR/SAR-2/19.08.2019/2P.6C