



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

Date : 20/08/2019

PRESENT

**The Hon`ble Mr.Justice P.RAJAMANICKAM**

**CRL OP(MD) . No.11562 of 2019**

1. Ganesan  
2. Amutha

... Petitioners/Accused Nos.1 & 2

Vs

The state of Tamilnadu,  
Rep.by its.,  
The Inspector of Police,  
Aayakudi Police Station,  
Palani Taluk,  
Dindigul District.  
(Crime No.182 of 2019).

... Respondent/Complainant

For Petitioners: M/s. Ananth C.Rajesh,  
Advocate.

For Respondent : Ms.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.182 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 (ii) of IPC, in Crime No.182 of 2019, seek anticipatory  
bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has  
submitted that due to wordy quarrel, the petitioners assaulted the  
defacto complainant and criminally intimidated him. He further



submitted that already case was registered in Crime No.181 of 2019 against the defacto complainant. He further submitted that no one sustained any injury, and therefore, he prayed to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that a counter case has been registered. She further submitted that the petitioners have assaulted the defacto complainant and criminally intimidated him and hence, she opposed this petition. However, she fairly conceded that no one sustained any injury.

5.Taking into consideration the fact that only wordy quarrel arose between the petitioners and the defacto complainant and no one sustained any injury and also the fact that already counter case has been registered against the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 Court, Palani, 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/-  
20/08/2019

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/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, PALANI
- 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
DINDUGAL DISTRICT.
- 3.THE INSPECTOR OF POLICE  
AAYAKUDI POLICE STATION, PALANI TALUK,  
DINDIGUL DISTRICT
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S. ANANTH C. RAJESH Advocate SR.No.13731

ORDER  
IN  
CRL OP(MD) No.11562 of 2019  
Date :20/08/2019

dss  
PK/JC/SAR-4/22.08.2019 : 3P/6C