



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

Date : 23/01/2020

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.1047 of 2020

1. KALIMUTHU
2. MUTHUPANDIAMMAL
3. CHELLAM
4. MOORTHY
5. BALU
6. SAIVAM
7. KAVI @ KAVIARASAN
8. ERULANDI

... PETITIONERS/ACCUSED No.1,2,4,7,
14,16,17 & 18

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
DEVAKOTTAI, SIVAGANGAI DISTRICT
(CRIME NO.8 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.Raja Karthikeyan,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

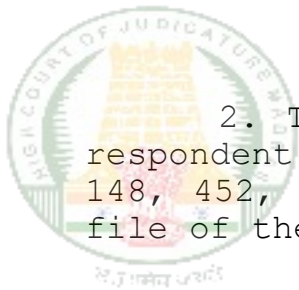
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

for Anticipatory Bail in Crime No.8 of 2020 on the file of the
respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and
the learned Government Advocate(Crl. Side) appearing for the
respondent.



2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 452, 294(b), 324, 307 of I.P.C., in Crime No.8 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The first petitioner appears to be suffering from severe physical ailments and therefore, the learned counsel for the petitioners would point out that the allegation of the prosecution that the first petitioner headed the group of accused may not be probable. The second petitioner is the wife of the first petitioner and she is aged about 60 years. The petitioners 6,7 and 8 are said to have attacked the complainant party with bare hands. Therefore, I am inclined to grant anticipatory bail to the petitioners 1,2,6,7 and 8.

4. The fifth petitioner has already surrendered and therefore this Criminal Original Petition has become infructuous as far as he is concerned.

5. The third and fourth petitioner caused damage to the cars of the defacto complainant. The fifth petitioner had thrown a petrol bomb. Therefore, even while granting anticipatory bail to the petitioners 1,2,6,7 and 8, this Criminal Original Petition is dismissed as regards the petitioners 3 and 4.

6. In the view of the above, I am inclined to grant anticipatory bail to the petitioners 1,2,6,7 and 8 with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Devakottai, Sivagangai District, and on their executing 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 learned Magistrate concerned and on further condition that the petitioners 1,2,6,7 and 8 shall appear before the respondent police as and when required for interrogation. The petitioners 1,2,6,7 and 8 shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. The petitioners 1,2,6,7 and 8 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
23/01/2020

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/ /2020

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



TO

1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3 THE INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

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

+1. CC to M/S.RAJA KARTHIKEYAN Advocate SR.No.3272

ORDER

IN

CRL OP(MD) No.1047 of 2020

Date :23/01/2020

PNN

JM/PN/SAR 2/31.01.2020/3P/6C