



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2020

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PRESENT

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

CRL OP(MD) . No.3319 of 2020

1. P.Karthick
2. Thirumaniselvam
3. Ramkumar

... Petitioners/Accused 1,2&4

Vs

The State Rep. by
The Inspector of Police,
Sipcot Police Station,
Thoothukudi District.
(Crime No.48/2020).

... Respondent/Complainant

For Petitioners : M/s. M. Pandian,
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. 48/2020 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 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.48 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The defacto complainant appears to have borrowed a certain sum of money from one Raja. It is stated that the full amount was



not repaid. Therefore, the petitioners have gone in support of the said Raja and beaten up the victim. The victim was in hospital for about five days. However, the attack was carried out only with bare hands. Since weapons were not used, I am inclined to show some indulgence.

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4. The petitioner's counsel, on instructions, states that the petitioners will take a demand draft for a sum of Rs.2,000/- favouring the defacto complainant. They would also file an affidavit before the Court below that they will keep off from the defacto complainant hereafter and not trouble or harass him in any manner.

5. If this undertaking is breached, this Court will not hesitate to commit the petitioners to custody. The petitioner's payment of Rs.2,000/- as cost or execution of affidavit will be without prejudice to their defence in the trial.

6. Recording the petitioner's undertaking, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.III, Thoothukudi, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. The petitioners 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/-
25/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE No.III, THOOTHUKUDI.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.



3. THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.M.PANDIAN, Advocate (SR-3914[I] dated 25/02/2020)

ORDER

IN

CRL OP(MD) No.3319 of 2020

Date :25/02/2020

RMI

TE/JC/SAR-III : 28/02/2020 : 3P/6C