



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

Date : 03/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
CRL OP(MD) . No.3994 of 2020

WEB COPY

1. Gunasekaran
2. Meenakashi
3. Eswaran

... Petitioners/Accused No.1,2&4

The State rep by Vs
The Inspector of Police,
Guddalur South Police Station, Theni
District , Cr.No.63 of 2020. ... Respondent/Complainant

For Petitioner : Mr.A.Karthik,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.63 of 2020 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

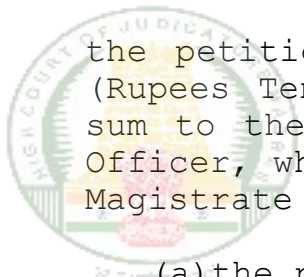
The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
323 and 506(ii) of I.P.C. and Section 4 of Women Harassment Act, in
Crime No.63 of 2020, on the file of the respondent police, seek
anticipatory bail.

2.The petitioners herein had wordy quarrel with the de-facto
complainant, during collection of Tamarind, while they were working
under one Rasu.

3.The case of the prosecution is that A-3 attacked the de-facto
complainant with stick for which the de-facto complainant took
treatment as out patient. The said A-3 is not a petitioner here.
The other petitioners have now moved the Court for anticipatory
bail.

4.Taking note of the fact that they are all relatives and the
nature of injury is simple, hence, this Court is inclined to grant
anticipatory bail to the petitioners.

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 Judicial Magistrate, Uthamapalayam, 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:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders;

(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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
03.03.2020

/ TRUE COPY /

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

SJI
TO

1. The Judicial Magistrate, Uthamapalayam.
2. -Do- Thro The Chief Judicial Magistrate, Theni District.
3. The Inspector of Police,
Guddalur South Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.A.KARTHIK, Advocate (SR-4777[I] dated 04/03/2020)

ORDER IN