



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4054 of 2020

1.K.Murugappan
2.K.Kannan
3.K.Veerasekar @ Kuttiyan
4.K.Ganesan
5.K.Marimuthu
6.K.GunalaRaja
7.Karu.Vidaththi
8.Mallika
9.Uma Maheswari

... Petitioners/Accused Rank
A1 to A9

Vs

The State rep.by
The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
Crime No.34 of 2020.

... Respondent/Complainant

For Petitioners : M/s.K.Kevinkaran,
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.34 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
147,148,341,294(b),353, 290 and 506(ii) of IPC seek anticipatory
bail.



2. It is the case of the prosecution that during the funeral ceremony of Udaiyammal the legal heirs have fought over regarding property of Udaiyammal and the petitioners herein who are the legal heirs had prevented the other two legal heirs from participating in the funeral function. Hence the matter has been reported to the Sub Inspector of Police, Sakkottai Police Station Sivagangai District. when the police arrived to the funeral house, the petitioner have prevented the police from discharging his official duty and also used unparliamentary words against him and threatened him with dire consequences. The First Information Report has been registered against the petitioners based on the complaint given by the Sub Inspector of Police for the offences under Sections 147,148,341,294 (b), 290 and 506(ii) of IPC @ 147,148,341,294(b), 290,353 and 506 (ii) of IPC.

3. Taking note of the facts and the circumstance under which the offence has been committed, this Court is inclined to grant anticipatory bail to the petitioners.

4. 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 Karaikudi on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, 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 and 5.30 p.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]**.



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

sd/-
04/03/2020

WEB COPY

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, KARAUKUDI.
 - 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
 - 3.THE INSPECTOR OF POLICE,
SAKKOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.KEVINKARAN Advocate SR.No.4727

ORDER
IN
CRL OP(MD) No.4054 of 2020
Date :04/03/2020

AAV
TK/VR/SAR.4/06.03.2020/3P/6C