



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

Date : 04/03/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4071 of 2020

1. Saravanakumar,
2. Rajamani,
3. Suryakala, ... Petitioners/Accused Nos.1 to 3

Vs

State:

The Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.

Crime No.58 of 2020.

... Respondent/Complainant

For Petitioners : M/s.V.Kannan,
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.58 of 2020 on the file of the Respondent police

ORDER : The Court made the following order :-

The complaint against the petitioners have been lodged for the offences under Sections 294 (b) and 506 (i) of I.P.C. and Section 3 of T.N.P.P.D.L. Act.

2. The case of the prosecution is that on 27.02.2020, the petitioners damaged the car of one Sudha, which was parked near her house, due to previous enmity between them, regarding letting out of sewage water. The petitioners have used abusive language on the de facto complainant and has damaged the wind sheet of the car worth



about Rs.8,000/-. The case has been registered in Crime No.58 of 2020 dated 27.02.2020. The petitioners seek anticipatory bail on the ground that the case is false one and motivated due to previous enmity.

3. However, the respondent Police through the learned Government Advocate (Criminal side) submits that enough materials is available for the act of damage caused by the petitioners and abusive language used by the petitioners.

4. In the said circumstances, taking note of the fact that the petitioners and the *de facto* complainant are neighbours and the petitioners are ready to co-operate with the investigation, there is no necessity to confine them in judicial custody and therefore, 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 learned Judicial Magistrate, Ilayangudi, 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 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 and 05.00 p.m until further orders;

(c). Each of the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) in the crime account;

(d). the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e). the petitioners shall not abscond either during investigation or trial;

(f). 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 petitioner 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 55601; and;

<https://hcservices.ecourts.gov.in/hcservices/>



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

sd/-
04/03/2020

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

TO

1. THE JUDICIAL MAGISTRATE, ILAYANGUDI.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ILAYANGUDI POLICE STATION, SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.KANNAN, Advocate (SR-4806[I] dated 05/03/2020)

ORDER
IN
CRL OP(MD) No.4071 of 2020
Date :04/03/2020

tsg
AE/VR/SAR-II (09.03.2020) 3P 6C