



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

Date : 06/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4243 of 2020

1. Malikraja,
2. Rahuman @ Mohamed Rahman Khan, ... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by its
The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District
(In Crime No.52 of 2020).

... Respondent/Complainant

For Petitioners : M/s.B.Senthilkumar,
Advocate.

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

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

PRAYER :-

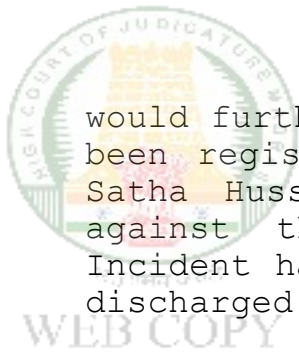
for Anticipatory Bail in Crime No.52 of 2020 on the file of the respondent police

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, 324, 341 and 506(ii) of IPC seek anticipatory bail.

2. Due to previous enmity these petitioners along with A3 had assaulted the defacto complainant with hands and stone and caused simple injury to the defacto complainant.

3. The learned Government Advocate (Crl.Side) would submit that the defacto complainant and his associates also retaliated and the petitioners herein had sustained injuries in stones pelting. He



would further submit that two case has been registered. One case has been registered in Crime No. 52 of 2020 against petitioners and Satha Hussain, whereas Crime No.53 of 2020 has been registered against the defacto complainant/Raja Mohamed and two others. Incident had taken place on 24.02.2020 and the injured persons were discharged on 27.02.2020.

4. Considering the nature of offence and also considering the fact that the injured has been discharged from the hospital, 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 District Munsif cum Judicial Magistrate, Rameswaram 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 stay at Madurai and report before the Inspector of Police, Tallakulam Police Station 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]**.

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

sd/-
06/03/2020

/ TRUE COPY /

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



TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, RAMESWARAM, .
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
MANDAPAM POLICE STATION, RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION, MADURAI DISTRICT.

+1 CC to M/s.SENTHIL KUMAR, Advocate (SR-4935[I] dated 06/03/2020)

ORDER

IN

CRL OP(MD) No.4243 of 2020

Date : 06/03/2020

AAV

AE/PN/SAR-II (12.03.2020) 3P 7C