



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

Date : 10/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.4330 of 2020

1.Nallaiya
2.Manimegalai

... Petitioners/Accused
Nos.1 and 2

Vs

The State rep.by
The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai District.
Crime No.79/2020.

... Respondent/Complainant

For Petitioners : M/s.M.Pitchai Muthu,
Advocate.

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

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

PRAYER :-

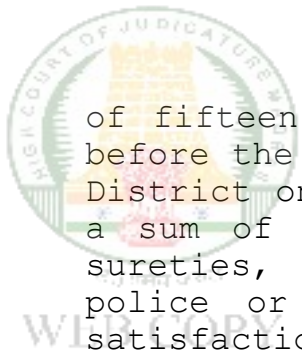
for Anticipatory bail in Crime No.79 of 2020 on the file of the
respondent police

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 IPC seek anticipatory bail.

2. Perusal of the record indicates that due to previous enmity
and the incident which took place on 04.01.2020, after discharge of
victims on 06.01.2020, again quarrel erupted between the two groups
in which the petitioners attacked the defacto complainant Murugan,
who is the brother of Chellaiah. Though the alleged occurrence took
place on 06.01.2020, the complaint has been given after delay of 21
days and no one sustained injuries in the said occurrence, so this
Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on
<https://hcservices.ecourts.gov.in/hcservices/> 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 No.I, Pudukottai, Pudukottai District 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 as and when required for interrogation.

[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/-
10/03/2020

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO I,
PUDUKOTTAI, PUDUKOTTAI DISTRICT.
2. THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT.

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



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

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.5151

WEB COPY

ORDER

IN

CRL OP(MD) No.4330 of 2020

Date :10/03/2020

AAV

TK/PN/SAR.2/12.03.2020/3P/6C