



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2020

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PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4384 of 2020

1. Mathankumar,
2. Chockalingam, ... Petitioners/Accused Nos.1 & 2

Vs

State through
The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.
(Crime No. 36 of 2020). ... Respondent/Complainant

For Petitioner : M/s.M.Prabu,
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.36 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., in Crime No.36 of 2020, on the file of the respondent police, seek anticipatory bail.

2.Due to election dispute, these two petitioners have assaulted the de-facto complainant by hand and caused simple injury. The de-facto complainant admitted in the hospital on 06.03.2020, got discharged after two days.



3. Taking note of the offence and the injury sustained by the victim, this Court is of the view that the custody of the petitioner is not required for investigation. Hence, anticipatory bail is granted to the petitioners with certain conditions.

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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 Judicial Magistrate, Manaparai, Trichy 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 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/-

11/03/2020

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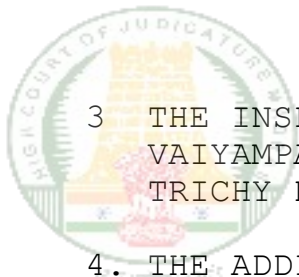
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
MANAPARAI, TRICHY DISTRICT.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.



3 THE INSPECTOR OF POLICE,
VAIYAMPATTI POLICE STATION,
TRICHY DISTRICT.

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

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+1 CC to M/s.M.PRABU, Advocate (SR-5107[I] dated 11/03/2020)

ORDER

IN

CRL OP(MD) No.4384 of 2020

Date :11/03/2020

sjj

AE/VR/SAR-III (12.03.2020) 3P 6C