



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

Date : 04/06/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5146 of 2020

1. R.Kalaijothi

2. U.Kalaiselvi

3. D.Kuppammal

... Petitioners/Accused

Vs

The State Rep. By
The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District
Cr No.24/2020.

... Respondent/Complainant

For Petitioner : M/s.R.Sevugaraja,
Advocate.

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

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

PRAYER :-

To grant an Anticipatory Bail to the petitioners/accused in connection with the Cr.No.24 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

2.The petitioners are apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.24 of 2020, on the file of the respondent police, seek anticipatory bail.

3.Due to petty quarrel, there was a clash between two groups, the case in counter has been registered. Earlier, this Court dismissed the anticipatory bail petition filed by these petitioners on the ground that the injured got discharged recently and services to the injured got in nascent stage.



4.The learned Additional Public Prosecutor appearing for the State would submit that the injured persons on either side got discharged and the investigation is substantially complied.

5.In the said circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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, Thiruvadanai, Ramnad District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court 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 abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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 absconds, a fresh FIR can be registered under Section 229A IPC.

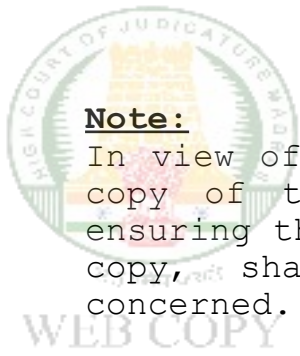
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE
THIRUVADANAI,
RAMANATHAPURAM DISTRICT.

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

3 THE INSPECTOR OF POLICE
S.P.PATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT

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

+1. CC to M/S R.SEVUGARJA Advocate SR.No.5778

ORDER
IN
CRL OP(MD) No.5146 of 2020
Date :04/06/2020

PD/VR/SAR 3/05.06.2020/3P/6C