



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2020

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PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5244 of 2020

1. Ramasamy
2. Veerappan
3. Ramaraj
4. Sathiyaraj
5. Murugesan
6. Muthukalai
7. Kulandaivel Gounder
8. Kothandapani

... Petitioners/Accused
Rank not known

Vs

State Rep. by
The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.
(Crime No. not known of 2020)

... Respondent/Complainant

For Petitioners : No Appearance
For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioners on Bail in the event of their arrest or surrender in Cr.No.48 of 2020, on the file of the respondent police.

ORDER : The Court made the following order :-

No representation for the petitioners.

2.The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 294(b), 324 and 506(2) of I.P.C., in Crime No.48 of 2020, on the file of the respondent police, seek anticipatory bail.



3.A perusal of the First Information Report indicates that due to land dispute, these petitioners have attacked the de-facto complainant and others with bamboo stick and wooden log causing injury. The complaint has been given on 24.03.2020 for the occurrence allegedly happened on 02.03.2020. In the First Information Report itself, the de-facto complainant has stated that when the police enquired him in the hospital, the de-facto complainant requested the police not to take action as they were settled the dispute through elders of the village. Since the settlement did not satisfy, the de-facto complainant alleged this complaint belatedly.

4.In the above said facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Manapparai, 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 daily at 10.30 a.m., until further orders.

[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.

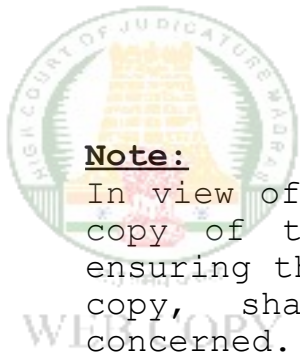
sd/-

04/06/2020

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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, MANAPPARAI.
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.

ORDER
IN
CRL OP(MD) No.5244 of 2020
Date :04/06/2020

SJI
TE/VR/SAR-III : 05/06/2020 : 3P/5C