



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/05/2020
PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5387 of 2020

1. Vinoth

2. Loganathan

... Petitioners/Accused

Vs

The Sub-Inspector of Police,
Kallaperambur Police Station, Thanjavur
District
Cr No.233/2020

... Respondent/Complainant

For Petitioner : M/s.Veera Associates,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

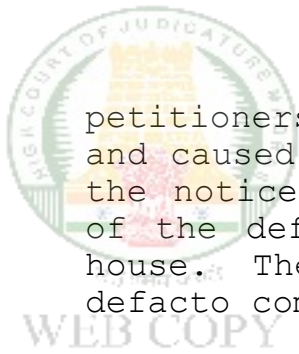
For Anticipatory Bail in Crime No.233 of 2020 on the file of the respondent police

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 apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 324 & 506(ii) of I.P.C., in Crime No.233 of 2020 on the file of the respondent police, seek anticipatory bail.

3.During the lock-down period, these petitioners have questioned the defacto complainant, who have sold grocery items in the petitioners' area. In the said quarrel, it is alleged that the



petitioners herein have assaulted the defacto complainant with knife and caused cut injury on the right side ear. It is also brought to the notice of this Court that following this fight, the supporters of the defacto complainant have attacked the petitioner and their house. Therefore, counter case has also been registered against the defacto complainant in this case.

4.The learned Additional Public Prosecutor would submit that the injured caused to the defacto complainant was simple in nature and it is a case in counter and no serious objections to grant anticipatory bail to the petitioners.

5.Recording the same, anticipatory bail is granted to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Thanjavur, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that,

[a] the petitioners shall report before the respondent police as and when required.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
20/05/2020

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



TO

1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR

2 DO THROUGH: THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR@KUMBAKONAM

3 THE SUB-INSPECTOR OF POLICE
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT

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

ORDER

IN

CRL OP(MD) No.5387 of 2020

Date :20/05/2020

ME/VR/SAR 2/20.05.2020/3P/5C