



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

Date : 20/05/2020

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PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5391 of 2020

1. Hari@ Hari Pandian

2. Sri @ Sri Pandian

... Petitioners/Accused No.1&2

Vs

The State Rep. by its,
The Sub- Inspector of Police,
C5-Karimedu (L and O) Police Station,
Madurai City,
Cr No.735/2020.

... Respondent/Complainant

For Petitioners : Mr.N.Sathiyendran,
Advocate.

For Respondent : Mr.S.Chandra Sekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.735 of 2020 on the file of
the respondent police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
323, 324 and 506(ii) IPC in Crime No.735 of 2020, seek anticipatory
bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners would
submit that the petitioners are innocent and ready to co-operate
with the investigation.



4.The learned Additional Public Prosecutor appearing for the State opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and since it is the petty quarrel between the street vendors, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest by the respondent police on executing a own bond for a sum of Rs.10,000/- and further the petitioners shall execute two sureties for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each before the Judicial Magistrate Court NO.V, Madurai, on or before 05.06.2020 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 investigating officer 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/05/2020

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

TO

1. THE JUDICIAL MAGISTRATE No.V, MADURAI.

2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3. THE SUB- INSPECTOR OF POLICE,
C5-KARIMEDU (L AND O) POLICE STATION,
MADURAI CITY.

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

ORDER
IN
CRL OP(MD) No.5391 of 2020
Date :20/05/2020

MYR
TE/VR/SAR-II : 20/05/2020 : 3P/5C