



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.5397 of 2020

1. Muniyasamy
2. Soundarapandian
3. Kajendran
4. Muniyasamy

... Petitioners/Accused 1 - 4

Vs

The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District

... Respondent/Complainant

For Petitioner : Mr.K.Kumaravel,
Advocate.

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

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

PRAYER :-

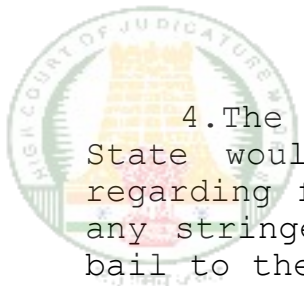
For Anticipatory Bail in Crime No.35 of 2020 on the file of the
respondent police

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)
and 506(ii) IPC in Crime No.35 of 2020, seek anticipatory bail.

2. Heard both sides.

3.According to the prosecution, during the lock down period,
the defacto complainant in this case has requested the fishermen not
to catch fish in the pond, which was opposed by the petitioners'
group, which is ended in clash between two factions. The respondent
police has registered two cases against each one of the group.



4.The learned Additional Public Prosecutor appearing for the State would submit that it was a quarrel between two factions regarding fishing right during the lock down and to maintain peace, any stringent condition may be imposed while granting anticipatory bail to the petitioners.

5.Recording the above said submission, 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, Kamuthi, Ramanathapuram District, 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 daily until further orders 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.

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sd/-
20/05/2020

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
KAMUTHI, RAMANATHAPURAM
- 2 DO THROUGH: THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP (MD) No.5397 of 2020
Date :20/05/2020

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