



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

Date : 22/05/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
CRL OP(MD) . No.5430 of 2020

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1. Jothibas
2. Sanjay
3. Bhoopathy @ Devendraboopathy ... Petitioners/Accused 1 to 3

Vs

State rep by
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District
Crime.No.380 of 2020. ... Respondent/Complainant

For Petitioner : M/s.C.Mayil Vahana Rajendran,
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.380 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),
323, 324 and 506(2) of I.P.C., in Crime No.380 of 2020 on the file
of the respondent police, seek anticipatory bail.

3. Case has been registered based on the complaint given by one
Murugesapandian alleging that he was attacked by the petitioners for
taking video in the cellphone. The defacto complainant, who
sustained injury near his ear and eye, has given this complaint when
he was taking treatment in the hospital as impatient.

4. The learned Additional Public Prosecutor would submit that
the defacto complainant after 7 days of treatment, got discharged on
15.05.2020. The petitioners have attacked the defacto complainant
due to previous enmity.



5. Taking note of the fact stated by the petitioner as well as the learned Additional Public Prosecutor and nature of injury sustained by the defacto complainant, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Kovilpatti and on their executing 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 learned Magistrate concerned and on further condition that,

[a] the petitioners shall report before the respondent police daily twice at 10.00 a.m., and 05.00 p.m., until further orders.

[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/-
22.05.2020

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

GNS

TO

1. The Judicial Magistrate No.I, Kovilpatti.

2. The Chief Judicial Magistrate, Thoothukudi District.

3. The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District



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