



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

Friday, the Twenty Second day of May Two Thousand Twenty

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.5426 of 2020

1 RAJESH KANNA
2 DINESH KANNA
3 KARTHIKEYAN

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

STATE REP. BY ITS,
THE SUB-INSPECTOR OF POLICE
SOMANATHAPURAM POLICE STATION,
SIVAGANGAI DISTRICT,
CRIME NO. 77 OF 2020.

... RESPONDENT / COMPLAINANT

For Petitioner : M/s.S.Kameswaran, 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.77 of 2020 on the respondent police.

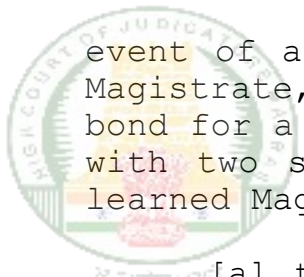
ORDER : The Court made the following order :-

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 324, 294(b), 506(ii) of I.P.C., in Crime No.77 of 2020 on the file of the respondent police, seek anticipatory bail.

3.It was alleged that the the petitioners have attacked the defacto complainant and others, due to quarrel over the party post. Counter complaint is also given by these petitioners against the defacto complainant and others, which was registered in Crime No.76 of 2020 for the offence under Sections 294(b), 506(i) IPC. The petitioners seek anticipatory bail with an undertaking that they will co-operate for the investigation and that they have not indulged in the similar crime.

4. In the view of the above, I am inclined to grant anticipatory bail 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, Karaikudi, Sivagangai District 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 at 10.30 a.m., till 15.06.2020.

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

TO

1. The Judicial Magistrate,
Karaikudi, Sivagangai District
2. -Do-thro' The Chief Judicial Magistrate,
Sivagangai.
3. The Sub-Inspector of Police,
Somanathapuram Police Station,
Sivagangai District,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.5426 of 2020
Date :22/05/2020

SMA/SKN/SAR-III/22/05/2020/2P/5C