



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/05/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5438 of 2020

1. Paneer Selvam @ Paneer,
2. Ranjith,
3. Sasikala,

... Petitioners/Accused A1 to A3

Vs

State through
The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(Crime No.129 of 2020).

... Respondent

For Petitioners : Mr.G.Kasinatha Durai,
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.129 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 294(b), 323, 324, 506(ii), 379(NH) of I.P.C., r/w Section 4 of WH Act in Crime No.129 of 2020 on the file of the respondent police, seek anticipatory bail.



3.The petitioner herein apprehends arrest at hands of the respondent police in view of the complaint given by one Gnanasoundhri alleging that during wordy quarrel between her and the petitioners, she was abused, assaulted and her chain was snatched. Counter complaint against the defacto complainant is also pending. Both are under investigation.

4.Considering the nature of allegation, 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 No.I, Thiruvadanai 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, within one month and on further condition that,

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

[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].

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

sd/-
26/05/2020

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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.I,
THIRUVADANAI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.5438 of 2020
Date :26/05/2020

GNS
AE/PN/SAR-III (27.05.2020) 3P 5C