



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

Date : 28/05/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.5489 of 2020

1.VAIRAMUTHU @ SARAVANAN
2.RATHNAVEL PANDIYAN

... PETITIONERS/ACCUSED NOS.1 & 2

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TENKASI DISTRICT.
(CRIME NO.239/2020).

... RESPONDENT/COMPLAINANT

For Petitioners : M/s.A.Ananda Raj,
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. 239 of 2020 on the
respondent police

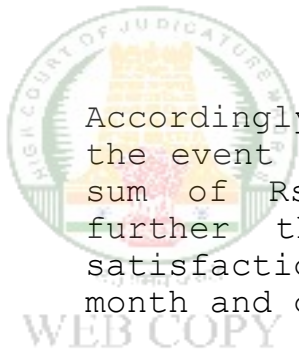
ORDER : The Court made the following order :-

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, 506(ii) of I.P.C., in Crime No.239 of 2020 on the file of the
respondent police, seek anticipatory bail.

3.Due to wordy quarrel between the petitioners and the defacto
complainant on 07.05.2020 regarding plying of car causing noise
pollution, a complaint has been given after 3 days on 10.05.2020 for
the alleged offence under sections 294(b), 323, 506(ii) of I.P.C.,

4.Considering the nature of complaint, I am inclined to grant
anticipatory bail to the petitioners with certain conditions.



Accordingly the petitioners are ordered to be released on bail in the event of arrest by respondent police on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each and further the petitioners shall produce two sureties to the satisfaction of the learned Judicial Magistrate Alangulam within one month and on further condition that:

(i) the petitioners and 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;

ii) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 2 and 3 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

28/05/2020

/ TRUE COPY /

/ /2020

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ALANGULAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
ALANGULAM POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5489 of 2020

Date : 28/05/2020

GNS

JM/PN/SAR 3/29.05.2020/2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>