



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

Date : 04/06/2020

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PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5654 of 2020

1. Pasunkili Poyyazhi  
2. Murugan

... Petitioners/Accused No.1&2

Vs

State rep. by  
The Sub Inspector of Police,  
Tharuvaikulam Police Station,  
Thoothukudi District.  
(Crime No. 91 of 2020).

... Respondent/Complainant

For Petitioners : M/s.M.S.Jeyakarthik,  
Advocate.

For Respondent : Mr.R.Anandharaj,  
Additional Public Prosecutor

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

**PRAYER :-**

For Anticipatory Bail in Crime No. 91 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), 324 and 506(ii) of IPC seek anticipatory bail.

2. The allegations against these petitioners is that there was a wordy altercation with the defacto complainant while they were consuming alcohol. Later when the defacto complainant was going to his house, he was attacked by the petitioners herein with aruval causing injury on his leg and hand.

3. The learned Additional Public Prosecutor would submit that both the petitioners and the defacto complainant relatives.



4. Taking note of the relationship between the petitioners and the defacto complainant and nature of offence alleged against them, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vilathikulam on condition that the petitioners shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 stay of Kamudhi and report before the Kamudhi police station daily at 10.30 a.m till 30.06.2020.

(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;

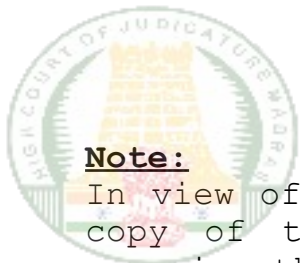
(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
04/06/2020

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



**Note:**

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,  
VILATHIKULAM.
2. DO THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI DISTRICT.
3. THE INSEPCTOR OF POLICE,  
KAMUDHI POLICE STATION,  
KAMUDHI.
4. THE SUB INSPECTOR OF POLICE,  
THARUVAIKULAM POLICE STATION,  
THOOTHUKUDI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.JEYAKARTHIK, Advocate ( SR-5775[I] dated 05/06/2020 )

ORDER

IN

CRL OP(MD) No.5654 of 2020

Date :04/06/2020

AAV

SRS/ JC/ SAR-II/ 05.06.2020/ 3P/7C