



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2020

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5666 of 2020

1. C.Kumar
2. Mahendran
3. Sathiskumar
4. Jeyalakshmi
5. Chinnammal
6. Sakthivel
7. Ramachandrran
8. Prabakaran@pidaran
9. Vadivel
10. Kulunthan

... Petitioners/Accused NO.1 to 8&10,11

Vs

The State Rep. By
The Inspector of Police,
Vaiyampatti Police Station,
Trichy District
Cr No.698/2020.

... Respondent/Complainant

For Petitioners : M/s.V.Kathirvelu, Senior Counsel
for M/s. K.Prabhu, Advocate.

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

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

PRAYER :-

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



For Anticipatory Bail in crime no.698 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 147,294 (b),324, 506(ii) of IPC and Section 4 of TNPHW Act seek anticipatory bail.

2. Sequences to petty quarrel regarding removal of Seemaikaruvel tree two groups have clashed on 24.05.2020. Members on either side has sustained injuries.

3. The learned counsel for the petitioners would submit that the petitioners did not indulge in any unlawful assembly or assault as alleged in the First Information Report.

4. The learned Additional Public Prosecutor would submit that due to clash between two groups there is disturbance of the peace in the said locality and the injured persons on either side were discharged after treatment.

5. Taking note of the fact that the injured persons were discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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, Manaparai 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 Thanjavur and report before the Thanjavur Town police station daily at 10.30 a.m for a period of two weeks.

(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

/ TRUE COPY /

/ /2020
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
MANAPARAI,
TIRCHY.

2 -DO- THRO THE CHEIF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
VAIYAMPATTI POLICE STATION,
TRICHY DISTRICT

4 THE INSPECTOR OF POLICE
THANJAVUR POLICE STATION

+1. CC to M/S.K.PRABHU Advocate SR.No.5756

ORDER

IN

CRL OP(MD) No.5666 of 2020

Date :04/06/2020

PD/VR/SAR 3/05.06.2020/4P/6C