



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/06/2020
PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5708 of 2020

1. Kalaimani
2. Tamilarasi @ Tamilselvi
3. Kalairaja @ Kalairajan
4. Chellathal @ Chellammal

... Petitioners/
Accused Ranks 1 to 4

Vs

State Rep.by
The Inspector of Police,
Panayappatti Police Station,
Panayappatti, Pudukottai District.
(Crime No. 173 of 2020)

... Respondent/Complainant

For Petitioners : M/s.M.Benazir Begum, Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 173 of 2020 on the file of the respondent police.

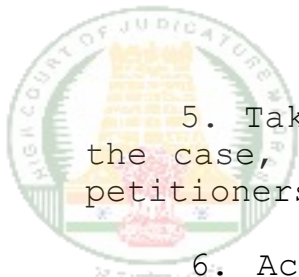
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 448,324,379, 506(ii) of IPC and Section 4 of TNPHW Act seek anticipatory bail.

2. Heard both sides.

3. It is the case of the prosecution that due to previous enmity the petitioners herein along with others illegally trespassed into the house of the defacto complainant and attacked her and also snatched a gold chain from her.

4. The learned counsel for the petitioners would submit that the petitioners are falsely implicated in this case and they have nothing to do with the alleged offence.



5. Taking into consideration all the facts and circumstances of the case, 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 before the respondent police on executing a own bond for a sum of Rs.25,000/- and further each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) before the learned Magistrate, Thirumayam, Pudukottai District on or before 03.07.2020 and on further condition that:

(a) the petitioners 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 report before the respondent police as and when required for interrogation;

(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/-

05/06/2020

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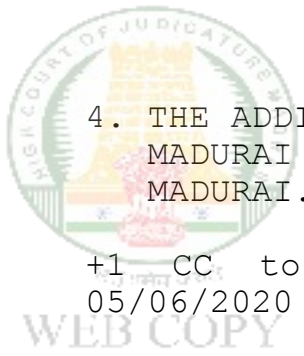
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
THIRUMAYAM, PUDUKOTTAI DISTRICT.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3. THE INSPECTOR OF POLICE,
PANAYAPPATTI POLICE STATION,
PANAYAPPATTI, PUDUKOTTAI DISTRICT.



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

+1 CC to M/s.K.SRINIVASARAGAVAN, Advocate (SR-5772[I] dated
05/06/2020)

ORDER

IN

CRL OP(MD) No.5708 of 2020

Date :05/06/2020

MS/PN/SAR-3/08.06.2020/3P.6C