



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.5717 of 2020

1. Thenmozhi,
2. Kalaiselvan,
3. Manikandan, ... Petitioners/Accused Rank Not Known

Vs

State through
The Sub Inspector of Police,
Siruganoor Police Station,
Trichy District.
(Crime No.Not Known of 2020). ... Respondent/Complainant

For Petitioners : M/s.R.Venkatesan,
Advocate.

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

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

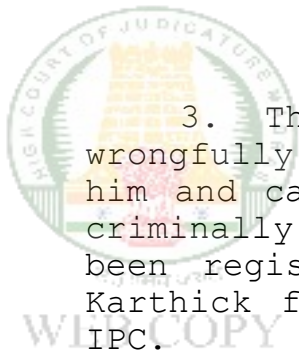
PRAYER :-

For Anticipatory Bail in Crime No.Not Known 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),
323 and 506(ii) of IPC seek anticipatory bail.

2. Heard both sides.



3. The petitioners 2 and 3 along with one Karthik has wrongfully restrained the defacto complainant on 27.05.2020 abused him and caused injuries with their hands. Further they have also criminally intimidated him with dire consequences. Hence a case has been registered against the petitioners 2 and 3 along with one Karthick for offences under Sections 341,294(b),323 and 506(i) of IPC.

4. The learned Government Advocate(Crl.Side) would submit that no case has been registered against the first petitioner and the case has been registered only against the second and third petitioners. Due to previous enmity, the petitioners 2 and 3 along with karthick has assaulted the defacto complainant. If the petitioners are released on bail they will again indulge in same type of crime and cause disturbance to peace and tranquility in that areas.

5. Taking note of the allegations made in the First Information Report and the objections made by the learned Government Advocate (Crl.Side) the petition for anticipatory for the first petitioner stands dismissed since no case has been registered against him. As far as second and third petitioners are concerned, taking into consideration all the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 2 and 3 with certain conditions.

6. Accordingly, the petitioners 2 and 3 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, Lalgudi on or before 03.07.2020 and on further condition that:

(a)the petitioners 2 and 3 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 2 and 3 shall report before the respondent police as and when required for interrogation;

(c)the petitioners 2 and 3 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 2 and 3 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 2 and 3 in accordance with law as if the conditions had been imposed and the petitioners 2 and 3 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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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, LALGUDI.
2. DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
TRICHIRAPPALLI DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
SIRUGANOR POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.5717 of 2020
Date :05/06/2020

AAV
MS/PN/SAR-III (08.06.2020) 3P 5C