



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/06/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.5757 of 2020

1. Karthikeyan
2. Vinoth

... Petitioners/Accused 1 & 2

Vs

State rep.by
The Inspector of Police,
Tiruppuvanam Police Station,
Sivagangai District.
(Crime No.397/2020)

... Respondent/Complainant

For Petitioners: M/s.A.R.Kannapan,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 397 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl.Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences under sections 294(b) 324, 506 (ii) I.P.C r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.397 of 2020, on the file of the respondent police, seeks anticipatory bail.

3. The petitioners said to have been having previous motive with the defacto complainant. On the occurrence date, the defacto complainant's wife asked the petitioners to move away. This have given rise to the occurrence. The victim was said to have been hospitalized for a period of 4 days. The petitioners are said to



have attacked with liquor bottles. The petitioners are not having any previous cases.

4. The petitioners through their counsel has stated that they will take a demand draft for a sum of Rs.5,000/- in all favouring the victim and the demand draft will be enclosed by the petitioners along with their surrender petition. The Court below shall take steps to hand over the same to the victim through the respondent police. Of course, this will be without prejudice to the petitioners' defence in the trial.

5. subject to these conditions, 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 or on their appearance before the learned Judicial Magistrate, Tiruppuvanam, Sivagangai District, and on their executing a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of 8 weeks and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

08/06/2020

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

Note : Due to lock down on account of COVID - 19, this order copy may be treated as true copy.

TO

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

ORDER IN

CRL OP(MD) No.5757 of 2020

Date : 08/06/2020