



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/06/2020
PRESENT

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

WEB COPY

CRL OP(MD). No.6084 of 2020

1.Raja Perumal
2.Karthik
3.Nagendran
4.Manikandan

... Petitioners/Accused 1 to 4

Vs

State represented by
The Inspector of Police,
Mallankinaru Police Station,
Virudhunagar District
Cr No.293/2020.

... Respondent/Complainant

For Petitioners : Mr.P.T.Ramesh Raja,
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.293 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 offence punishable under Sections 294(b), 353, 332, 341 and 506(i) of I.P.C., in Crime No.293 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The learned Government Advocate (Crl.side) has strongly opposed the relief of anticipatory bail to the petitioners herein by pointing out that the de-facto complainant is none other than the jurisdictional Sub Inspector of Police.

4. I went through the contents of the F.I.R. The de-facto complainant has alleged that the petitioners herein had attacked him. No doubt the de-facto complainant has not sustained any serious injury. But, the victim in this case is an uniformed officer. The petitioners' counsel would contend that the petitioners were sitting on the pial of their village and that without any provocation, the de-facto complainant accompanied by two police constables attacked them. The first petitioner is an Army man and he is said to have undergone bye-pass surgery. Since the petitioners were attacked without any provocation, there appears to have been a scuffle between the petitioners and the de-facto complainant.



5. I am of the view that the version projected by the petitioners cannot be said to be improbable. Taking note of the fact that the first petitioner is an Army man, 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 No.I, Virudhunagar and on their executing a bond for 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 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/-

12/06/2020

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/ /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 NO I,
VIRUDHUNAGAR DISTRICT.

2 -DO- THRO
THE CHEIF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
MALLANKINARU POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6084 of 2020

Date :12/06/2020