



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/06/2020

PRESENT

THE HON'BLE Mr.JUSTICE M.DHANDAPANI

CRL OP(MD) . No.6274 of 2020

1. Vicky @ Vigneswaran
2. Alagu Mani @ Mani

... Petitioners

Vs

The State rep. by
The Inspector of Police,
Town North Police Station,
Dindigul District.
(Crime No. 1018/2020)

... Respondent

For Petitioners : M/s Raja Karthikeyan,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 1018 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 (Criminal Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 395, 506(ii) and 397 of IPC, in Crime No.1018 of 2020 on the file of the respondent police, seek anticipatory bail.



3. The case of the prosecution is that the defacto complainant was manhandled by accused Nos.1 to 8 at V.O.C. Nagar, Dindigul and taken away the gold neck chain worth about 1-1/2 sovereign wore by the defacto complainant. Hence, the complaint.

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4. The learned counsel appearing for the petitioners would submit that when there was a wordy quarrel between the defacto complainant and A1, A3, A4, A5, A6 and A7, the petitioners attempted to pacify the both parties. But the de-facto complainant wrongly arrayed the petitioners as the accused. He would further submit that petitioners are innocent persons and they did not commit any offence as alleged by the prosecution, hence, he prays for anticipatory bail to the petitioners.

5. The learned Government Advocate (criminal side) appearing for the State, on instructions, would submit that in this case, co-accused had already been released on bail and the investigation is almost completed.

6. Considering the facts and circumstances of the case and considering the fact that the co-accused had already been released on bail, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

(i) Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Principal Sessions Judge, Dindigul 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 Judge concerned;

(ii) The petitioners shall appear before the respondent police daily at 05.00 p.m for a period of two weeks and thereafter as and when required, for the purpose of interrogation.

(iii) 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 themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(iv) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.



8.The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

sd/-
17/06/2020

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

TO

1. THE PRINCIPAL SESSIONS JUDGE,
DINDIGUL.
2. THE INSPECTOR OF POLICE,
TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6274 of 2020
Date :17/06/2020

MPK
SRS/ JC/ SAR-II/ 18.06.2020/ 3P/4C