



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.6305 of 2020

1. Prabhu
2. B.Sankaralakshmi

... Petitioners/Accused No.1&2

Vs

The State rep. by
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District. Crime No.627 of 2020..

... Respondent/Complainant

For Petitioners: Mr.K.S.Durai Pandian,
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.627 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.

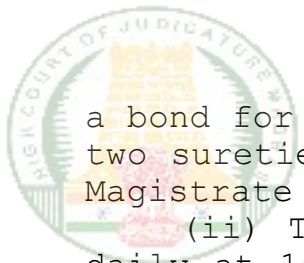
2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323 and 506(ii) of IPC and Section 4 of TN Women Harassment Act in Crime No.627 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The case of the prosecution is that due to previous enmity the petitioners attacked the defacto complainant. Hence, the complaint.

4. The learned Government Advocate (Crl. side) appearing for the State would submit that the injured person has been discharged from the hospital.

6. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

(i) Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Thirumangalam, Madurai, and on their executing



a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned.

(ii) The petitioners shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required for 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 himself 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 JUDICIAL MAGISTRATE
THIRUMANGALAM,
MADURAI.

2 -DO- THRO
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6305 of 2020

Date :17/06/2020

PD/JC/SAR 2/19.06.2020/3P/5C

<https://hcservices.ecourts.gov.in/hcservices/>