



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/06/2020

PRESENT

WEB COPY

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.6727 of 2020

1. Sivasamy
2. Kasi
3. Perumal

... Petitioners/Accused No.1 to 3

The State rep by
The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District,
Crime No. 286 of 2020.

Vs

... Respondent/Complainant

For Petitioners : Mr.M.Suresh
for M/s. S.T.Sasidharan,
Advocate.

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 286 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

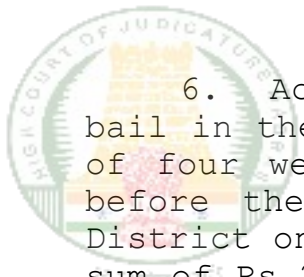
Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

2.The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 447 and 506(ii) of IPC seeks anticipatory bail.

3. The case of the prosecution is that due to property dispute this petitioner have threatened the defacto complainant with dire consequences. Hence a case has been registered.

4. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.

5. Taking note of the facts and circumstances of the case and also taking note of the fact that no one sustained injuries in the said occurrence, this Court is inclined to grant anticipatory bail to the petitioners.



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Srivaikundam, Thoothukudi District on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] The petitioners and the sureties 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 stay of Virudhunagar and report before the Virudhunagar Town Police Station daily at 10.30 a.m., till 30.07.2020.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29.06.2020

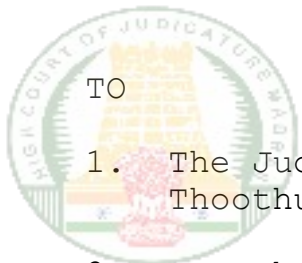
/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

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, Srivaikundam,
Thoothukudi District
2. -Do- Through The Chief Judicial Magistrate,
Thoothukudi District.
3. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
4. The Inspector of Police,
Virudhunagar Town Police Station,
Virudhunagar.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.6727 of 2020

Date : 29/06/2020

VB SKN SAR 3 (30.06.2020) 3P 6C