



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

Date : 29/06/2020

WEB COPY

PRESENT

The Hon' ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.6777 of 2020

1. M.Aravinth
2. B.Surya
3. M.Kaviyarasan @ Kavi
4. M.Rajendrasolai @ Solai
5. M.Krishnamoorthy @ Moorthy
6. S.Solairaj @ Solai

... Petitioners/  
Accused Rank not known

Vs

The State rep. by,  
The Inspector of Police,  
Melur Police Station,  
Madurai District.  
(Crime No.999/2020).

... Respondent/Complainant

For Petitioner : M/s. R.Pon Karthikeyan,  
Advocate.

For Respondent : R.Anandharaj,  
Additional Public Prosecutor

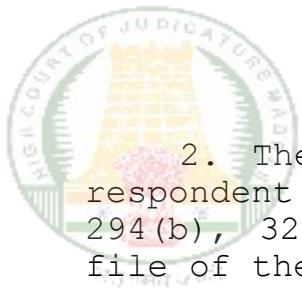
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

**PRAYER :-**

For Anticipatory Bail in Crime No.999/2020 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 147, 294(b), 323 and 506(i) of I.P.C., in Crime No.999 of 2020 on the file of the respondent police, seek anticipatory bail.

WEB COPY

3. During the funeral of one Thothaveeran, two groups have clashed and assaulted each other by hands and case in counter has been registered in Crime No.1000 of 2020 and it is under investigation. These petitioners are arrayed as accused in Crime No.999 of 2020.

4. The learned Additional Public Prosecutor reports that the injury sustained by the parties are simple in nature and wooden logs were used by the petitioners to attack the de-facto complainant.

5. Taking note of the above fact that the fight has been erupted in the village between two groups and no serious injury has been caused, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Melur 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and 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 shall report before the respondent police shall appear before the respondent police daily at 10.30 a.m. till 30.07.2020 and thereafter as and when required for interrogation;

(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**

<https://hccservices.gsjudg.gov.in/hccservices/>  
**SCW 95609**, and,



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

sd/-  
29/06/2020

WEB COPY

/ TRUE COPY /

/ /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,  
MELUR.
2. DO THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI.
3. THE INSPECTOR OF POLICE,  
MELUR POLICE STATION,  
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.6777 of 2020  
Date :29/06/2020

AKV  
SRS/ VR/ SAR-II/ 01.07.2020/ 3P/5C