



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

Date : 01/07/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
CRL OP (MD) . No.6919 of 2020

WEB COPY

1. Sathees @ Satheesh Kumar
2. Maya@saravanan
3. Vicky@vigneshwaran

... Petitioners/Accused No.1 to 3

Vs

State rep by
The Inspector of Police,
Taluk Police Station, Thiruchendur,
Thoothukudi District
Cr No.235/2020.

... Respondent/Complainant

For Petitioners : M/s.S.Vikram,
Advocate.

For Respondent : Mr.S..Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime no.235 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 447, 506(ii) of IPC and section 92 of the Rights of Persons with Disabilities Act, 2016 seek anticipatory bail.

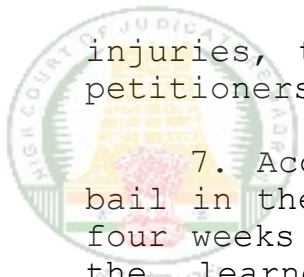
2. Heard both sides.

3. The case of the prosecution is that due to previous enmity the petitioners herein entered into the house of defacto complainant abused him and threatened with dire consequences.

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

5. The learned Additional Public Prosecutor would submit that the defacto complainant is a physically challenged person and no one sustained injuries in the said occurrence.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that no one sustained



injuries, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruchendur, Thoothukudi District on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) each 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 daily 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 SCW 5560]**; and;

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

sd/-

01.07.2020

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/ /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, Tiruchendur,
Thoothukudi District
2. -Do- Through The Chief Judicial Magistrate
Thoothukudi District.
3. The Inspector of Police,
Taluk Police Station, Thiruchendur,
Thoothukudi District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.6919 of 2020

Date : 01/07/2020

VB SKN SAR 2 (02.07.2020) 3P 5C