



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/07/2020

PRESENT

WEB COPY

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7253 of 2020

1. Rasu @ Rajamani
2. Suresh

... Petitioners/Accused No.1 & 2

Vs

State rep by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
Cr.No. 807 of 2020.

... Respondent/Complainant

For Petitioners : M/s.P.Senguttuarasan,
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 Cr.No. 807 of 2020 on the file of the respondent police.

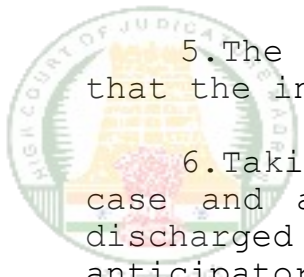
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) of IPC, seek anticipatory bail.

2. Heard both sides.

3.The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant, due to that motive, the petitioners herein assaulted the defacto complainant and caused injury to him.

4. The learned counsel for the petitioners would submit that the petitioners are innocent. Due to the previous enmity, the defacto complainant lodged a false complaint as against the petitioners.



5.The learned Government Advocate (Criminal Side) would submit that the injured person was discharged from the hospital.

6.Taking into consideration the facts and circumstances of the case and also taking note of the fact that injured was already discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

WEB COPY

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, Nilakkottai, Dindigul 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 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/-
13.07.2020

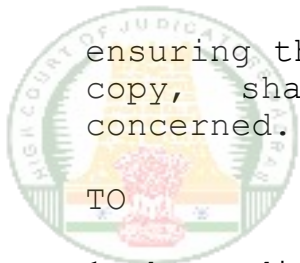
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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

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

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,
Nilakkottai, Dindigul District.
2. -Do- Through The Chief Judicial Magistrate,
Dindigul District.
3. The Inspector of Police,
Batlagundu Police Station,
Dindigul.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.7253 of 2020

Date : 13/07/2020

VB SKN SAR 2 (15.07.2020) 3P 5C