



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

Date : 31/07/2020

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7997 of 2020

1. Vellaichamy
2. Azhagarsamy
3. Muthuchamy
4. Eswari
5. Anjalai
6. Vellaikannu

... 1 to 6 Petitioner/
1 to 6 Accused

Vs

The State rep. by
The Inspector of Police,
Natham Police Station,
Dindigul District
Crime No. 643 of 2020.

... Respondent/Complainant

For Petitioner : M/s.S.Sarvagan Prabhu,
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. 643 of 2020 on the file of
the Respondent Police

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 294
(b), 148, 355, 324 & 506(ii) of IPC, in Crime No.643 of 2020 on the
file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the
defacto complainant are neighbours. The defacto complainant found
missing of some hens belonging to him and the same was questioned to



the petitioners said to have assembled unlawfully and abused the defacto complainant using filthy language and attacked and caused minor injuries and also made life threat with dire consequences. Hence the complaint.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (criminal side).

4. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not involved in any incident as alleged by the prosecution. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (criminal side) appearing for the respondent police, on instructions, submitted that the injured was discharged from the Hospital.

6. Considering the fact and circumstances of the case and considering the fact that the injured person has already been discharged from the hospital, 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, Natham, Dindigul District, on condition that the petitioners 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 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/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

sd/-
31/07/2020

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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-5866[I] dated 03/08/2020)

ORDER
IN
CRL OP(MD) No.7997 of 2020
Date :31/07/2020

KSA
SRS/ JC/ SAR-II/ 04.08.2020/ 3P/ 6C