



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 21/09/2020

PRESENT

**The Hon'ble Mr.Justice V.BHARATHIDASAN**

CRL OP(MD) . No.9891 of 2020

1. Jeya Praveen @ Praveen
2. Gowtham Veeramani @ Gowtham Mani
3. Vinith
4. A.G.Manivannan

... Petitioners/Accused  
(Rank not known)

**Vs**

The State Rep. by  
The Inspector of Police,  
Gandhi Market Police Station,  
Tiruchirapalli,  
Tiruchirapalli District.  
Crime No.1056/2020.

... Respondent/Complainant

For Petitioners: Mr.A.Thiruvadi Kumar,  
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.1056 of 2020 on the file of the respondent police.

**ORDER :** The Court made the following order :-

The petitioners, who are arrayed as A1, A3, A4 and A5, apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 324, 342 and 307 of IPC, in Crime No.1056 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner was in love with the defacto complainant's sister, which was opposed by the defacto complainant. Due to that motive, there was a wordy quarrel between the petitioner and the defacto complainant, in which, the petitioners and others said to have abused the defacto



complainant by using filthy language and also assaulted him with deadly weapons and caused serious injuries. Hence, the present complaint.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that due to previous enmity, the petitioners have been falsely implicated in this case. He further submitted that A2 has already been arrested and released on bail by the lower Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the occurrence said to have taken place in a wordy quarrel. She further submitted that the injured person has already been discharged from the hospital. She further submitted that A2 has already been arrested and released on bail by the Court below. Hence, the crime has been registered.

6. Considering the facts and circumstances of the case and also considering the fact that the occurrence said to have taken place in a wordy quarrel and the injured person has already been discharged from the hospital and A2 has already been arrested and released on bail by the Court below, I am 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 No.V, Tiruchirappalli, 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 once in a week (ie.,) Every Monday at 10.30 a.m until further orders.,

(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.

sd/-  
21/09/2020

/ 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 No.V,  
TIRUCHIRAPPALLI.
2. DO THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,  
GANDHI MARKET POLICE STATION,  
TIRUCHIRAPPALLI,  
TIRUCHIRAPPALLI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.A.THIRUVADIKUMAR, Advocate (SR-6537[I] dated 22/09/2020)

ORDER  
IN  
CRL OP(MD) No.9891 of 2020  
Date :21/09/2020