



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 05/11/2020

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PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

CRL OP(MD). No.12470 of 2020

1.Lucas  
2.Savarinathan  
3.George  
4.Praveen  
5.Sagayaraj  
6.Thomsan  
7.Divota

... Petitioners/Accused

Vs.

The State rep.by  
The Inspector of Police,  
Thuvakudi Police Station,  
Trichy District.  
Crime No.992 of 2020.

... Respondent/Complainant

For Petitioners : Mr.S.Muthukrishnan,  
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No.992 of 2020 on the file of the respondent police.

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

The petitioners, who are apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 447, 427, 294(b) and 506(ii) of IPC, in Crime No.992 of 2020 on the file of the respondent police, seek anticipatory bail.



2.The case of the prosecution is that there was a civil dispute between the petitioners and the defacto complainant, for which, the petitioners said to have abused the defacto complainant and also damaged the electric motor belongs to the defacto complainant. Hence, the present complaint.

3.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.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that due to civil dispute, the occurrence said to have been taken place. He further submitted that no one sustained injury.

5.Considering the facts and circumstances of the case and also considering the fact that no one sustained injury in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate No.VI, Tiruchirappalli, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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



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

sd/-  
05/11/2020

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

ORDER  
IN  
CRL OP(MD) No.12470 of 2020  
Date : 05/11/2020

DAS  
TK/PN/SAR.3/11.11.2020/3P/5C