



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

Date : 10/12/2020

PRESENT

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

CRL OP(MD).No.14448 of 2020

1.Rani
2.Sivakumar
3.Karthick
4.Prabakaran

... Petitioners/Accused No.1 to 4

Vs.

State Rep.by
The Inspector of Police,
Lalapet Police Station,
Karur District.
(Crime No.645 of 2020)

... Respondent/Complainant

For Petitioners: Mr.D.S.Haroon Rasheed,
Advocate.

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

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

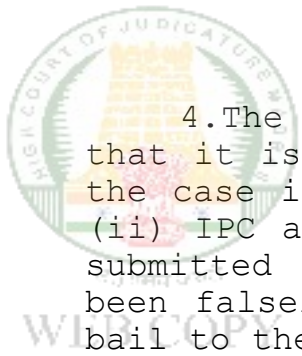
PRAYER :- For Anticipatory Bail in Crime No.645 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 to A4, apprehending arrest at the hands of the respondent police for the offence punishable under sections 294(b), 324 and 506(ii) IPC, in Crime No.645 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 belong to the same village. On 03.12.2020 at about 10.30 a.m. the defacto complainant and one Subburaman were doing agricultural work in their land, the petitioners quarrelled with the defacto complainant and assaulted him as well as Subburamna by using filthy language and also criminally intimidated them. Hence, the case has been registered.

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



4.The learned counsel appearing for the petitioners submitted that it is a case in counter. The respondent police has registered the case in Crime No.646 of 2020 under Section 294(b), 324 and 506 (ii) IPC as against the defacto complainant and others. He further submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl.Side), on instructions, submitted that it is a case in counter and injured person had already been discharged from the hospital.

6.Considering the facts and circumstances of the case, 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 two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Kulithalai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two blood related 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 2 to 4 shall stay at Pudukkottai and report before the Pudukkottai Town Police Station daily at 10.30 a.m. for a period of four weeks and thereafter shall report before the respondent police for a period of two weeks and thereafter 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.

sd/-
10/12/2020

WEB COPY

/ 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.I, KULITHALAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE INSPECTOR OF POLICE,
LALAPET POLICE STATION, KARUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
PUDUKKOTTAI TOWN POLICE STATION,
PUDUKKOTTAI.

ORDER
IN
CRL OP(MD) No.14448 of 2020
Date :10/12/2020

MS/PN/SAR-4/15.12.2020/3P.6C