



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

Date : 07/01/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.173 of 2021

1. Aynkaran
2. Vetrivel

... Petitioners/Accused Rank 3 & 4

Vs

State Rep.by,
The Inspector of Police,
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.
(In Crime No.630/2020).

... Respondent/Complainant

For Petitioner : M/s.Selvakumar.V,
Advocate.

For Respondent : Mr.M.V.Chandrasekaran,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.630/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 324& 506(ii)I.P.C., in Crime No.630 of 2020 on the file of the respondent police, seek anticipatory bail.

3.The case of the prosecution is that the defacto complainant namely Sekar gave complaint before the respondent police stating that on 26.12.2020, while he was working as a Secretary in a Panchayat Board and was engaging in clearance of karuvelam trees in the village burial ground, the petitioners are abused, attacked and threatened him with dire consequences. Hence, the case has been registered.



4. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.

5. The learned Government Advocate (Crl. side) would submit that there is no previous case against the petitioners. The injury caused to the defacto complainant is simple in nature and he was taking treatment as outpatient.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the injury caused to the defacto complainant is simple in nature, 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, Thiruppuvanam on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) 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/-

07/01/2021

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



TO

1.THE JUDICIAL MAGISTRATE, THIRUPPUVANAM

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT

3.THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION, THIRUPPUVANAM,
SIVAGANGAI DISTRICT

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.173 of 2021

Date :07/01/2021

VRN

PK/KV/SAR-II/11.01.2021 : 3P/5C