



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/02/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.894 of 2021

1. Karthick Raja
2. Muniyasamy
3. Prakashraj

... Petitioners/Accused No.1, 2 & 4

Vs

State Rep. by
The Inspector of Police,
Elayirampannai Police Station,
Virudhunagar District.
In Crime No.21 of 2021.

... Respondent/Complainant

Logirajan

... Intervener/De facto Complainant
In CRL MP(MD) No.715 of 2021
In CRL OP(MD). No.894 of 2021

For Petitioner : Mr.Mariappan.N.,
Advocate.

For Respondent : Mr.M.Chandra Sekaran,
Additional Public Prosecutor

For Intervener : Mr.R.Karunanidhi,
Advocate

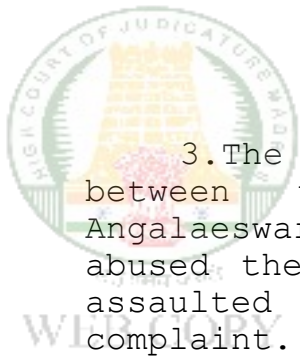
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.21 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as Accused No.1, 2 and 4, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 307 and 506(ii) of IPC, in Crime No.21 of 2021 on the file of the respondent Police, seek anticipatory bail.



3.The case of the prosecution is that there was a problem between two groups in respect of worshipping God in Angalaeswariamman Temple, due to which, the petitioners said to have abused the defacto complainant by using filthy language and also assaulted him with hands and caused injuries. Hence, the present complaint.

4.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that the injured person has already been discharged from the hospital. Hence, he prayed for grant of anticipatory bail to the petitioners.

5.The learned Additional Public Prosecutor appearing for the respondent Police submitted that due to dispute in respect of worshipping God in Angalaeswariamman Temple, the occurrence said to have taken place. He further submitted that the injured person has already been discharged from the hospital. He further submitted that the first petitioner was arrested by the respondent Police on 21.01.2021.

6.Recording the submission made by the learned Additional Public Prosecutor that the first petitioner was arrested by the respondent Police on 21.01.2021, this Criminal Original Petition stands dismissed in respect of the first petitioner.

7.Taking into consideration the facts and circumstances of the case and also taking note of the fact that the injured person has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 2 and 3 with certain conditions.

8.Accordingly, the petitioners 2 and 3 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, Sattur, on condition that the petitioners 2 and 3 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 2 and 3 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 and 3 shall report before the Sattur Police Station daily at 10.30 a.m., for a period of two weeks and



thereafter, the petitioners 2 and 3 shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

(c) the petitioners 2 and 3 shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 2 and 3 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 2 and 3 in accordance with law as if the conditions have been imposed and the petitioners 2 and 3 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 2 and 3 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
02/02/2021

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/ /2021

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,
SATTUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
ELAYIRAMPANNAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

<https://hcservices.ecourts.gov.in/hcservices/>



COPY TO:
THE INSPECTOR OF POLICE,
SATTUR POLICE STATION,
SATTUR.

WEB COPY

ORDER
IN
CRL OP (MD) No.894 of 2021
Date :02/02/2021

vsg
JM/VR/SAR IV/09.02.2021/4P/6C