



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

Date : 16/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR
CRL OP(MD) . No.2405 of 2021

WEB COPY

1. Manikandan
2. Ganesan
3. Nithya
4. Suganya

... Petitioners/Accused Nos. 1 to 4

Vs

The State represented through
The Sub Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
Cr.No. 78 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Palpandi V,
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 Crime No.78 of 2021 on the file of the
Respondent Police.

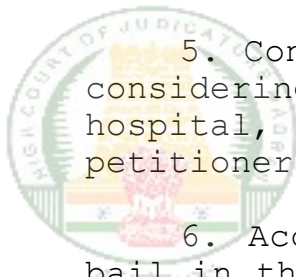
ORDER : The Court made the following order :-

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),
323, 324 and 506(i) of IPC., in Crime No.78 of 2021, on the file of
the respondent police, seek anticipatory bail.

3. The learned counsel for the petitioners submitted that the
petitioners have been falsely implicated in this case and they are
nothing to do with the alleged offence.

4. The learned Government Advocate (crl.side) appearing for the
State submitted that due to land dispute, the petitioners assaulted
the defacto complainant and her husband and also threatened with
dire consequences. The injured has been discharged from the
hospital. The investigation is under progress.



5. Considering the facts and circumstances of the case and also considering the fact that injured has been discharged from the hospital, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kamuthi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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/petitioners thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

16.02.2021

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/ /2021

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

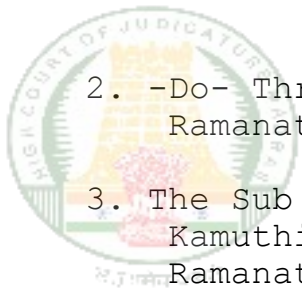
MPK

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

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

1. The Judicial Magistrate, Kamuthi.



2. -Do- Thro The Chief Judicial Magistrate,
Ramanathapuram.

3. The Sub Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.2405 of 2021

Date : 16/02/2021

VB JC SAR 3(19.02.2021) 3P 5C