



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.2417 of 2021

1. Ragupathy
2. Vallarasu
3. Amar @ Amarnath
4. Kalaivanan
5. Vinoth
6. Kannan

... Petitioners/Accused No.1 to 6

Vs

State rep by its  
The Inspector of Police,  
Sivagangai Taluk Police Station,  
Sivagangai District.  
Cr.No. 33 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Ilayaraja R,  
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.33 of 2021 on the file of the  
Respondent Police.

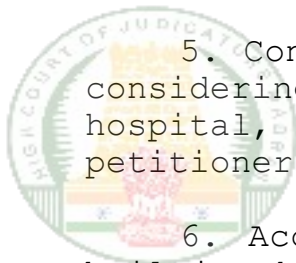
ORDER : The Court made the following order :-

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 147,  
294(b) and 506(i) of IPC., in Crime No.33 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 previous enmity, the petitioners  
assaulted the defacto complainant and the injured has been  
discharged from the hospital. Further, it is a case of case and  
counter. The investigation is under progress.



5. Considering the facts and circumstances of the case and also considering the fact that the 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 No.II, Sivagangai, 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 daily at 10.30 a.m 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

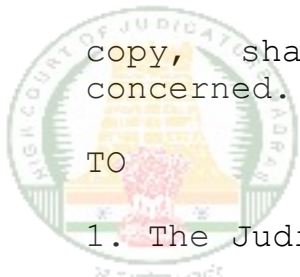
sd/-  
16.02.2021

/ TRUE COPY /

/ /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

1. The Judicial Magistrate No.II, Sivagangai.

2. -Do- Thro The Chief Judicial Magistrate,  
Sivagangai District.

3. The Inspector of Police,  
Sivagangai Taluk Police Station,  
Sivagangai District. Cr.No. 33 of 2021..

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

+1 CC to Mr.R.ILAYARAJA, Advocate ( SR-1195[I] dated 18/02/2021 )

ORDER  
IN  
CRL OP(MD) No.2417 of 2021

Date : 16/02/2021

VB SMA SAR 1(19.02.2021) 3P 6C