



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

Date : 20/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

WEB COPY

CRL OP(MD). No.4977 of 2021

1.Arulmurugan

2.Karnan

... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by,
The Inspector of Police,
Guziliamparai Police Station,
Dindigul District.

In Crime No.102 of 2021.

... Respondent/Complainant

For Petitioners : Mr.J.Sivaram, Advocate.

For Respondent : Mr.P.Kottai Chamy

Government Advocate (Crl.side)

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

PRAYER :-For Anticipatory Bail in Crime No.102 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 341 and 506(ii) I.P.C, in Crime No.102 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute, there was a wordy quarrel between the petitioners and the defacto complainant, in which, both the petitioners and the defacto complainant attacked each other. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this case and that a case in counter has been registered in Crime No.101 of 2021 against the defacto complainant. He further submitted that both the parties entered into a compromise through Mediation and they have also filed a joint compromise memo to that effect.

4.It is reported by the learned Government Advocate (Crl.side) that both the parties have arrived at a compromise in the Mediation Centre and they have also filed a petition to quash the proceedings on the basis of the Joint Compromise Memo filed by the petitioners and the complainant.



5. Recording the above submission, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance before the learned Judicial Magistrate, Vedachandur on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar 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 the 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/-
20/09/2021

/ TRUE COPY /

/ /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,
VEDACHANDUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE
GUZILIAMPARAI POLICE STATION, DINDIGUL DISTRICT.

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

ORDER

IN

CRL OP(MD) No.4977 of 2021

Date :20/09/2021

MSA

MK/VR/SAR.II/29.09.2021/3P/5C