



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

Date : 23/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.5280 of 2021

1. Murugan (A-1)
2. Eswaran (A-2)
3. Angamuthu @ Muthu (A-3)
4. Kalyanaprabhu (A-4)
5. Senthil @ Thanniken Senthil @ Senthilkumar (A-6)
6. Marimuthu (A-7)
7. Nandakumar (A-8)
8. Radhakrishnan (A-9)
9. Manikandan (A-11)
10. Gobi @ Gobinathan (A-12) ... Petitioners/Accused

Vs

State rep.by
The Inspector of Police,
Oddanchatram Police Station,
Dindigul District
Crime No. 219/2021. ... Respondent/Complainant

For Petitioner : M/s.P.Kalaiyarasi Bharathi,
Advocate.

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

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

PRAYER :-

For Anticipator Bail in Crime No.219/2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, A6 to A-9 and A-11 and A-12, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 323, 294(b), 324, (*) 307 and 506(ii) of IPC, seek anticipatory bail.



2.The case of the prosecution is that due to election dispute, there was a fight between two groups on 06.04.2021, in which some of the persons got injured. Hence the complaint.

3.The learned counsel for the petitioners would submit that a counter case has been registered in Crime No.229 of 2021 against the de-facto complainant and it is pending. He would also submit that the injured has been discharged from the hospital.

4.The learned Government Advocate (Crl.Side) would submit that the injured has been discharged from the hospital and that this case and counter case has been registered in Crime No.229 of 2021.

5.Taking into consideration the facts and circumstances of the case and also taking note of the fact that the injured got discharged from the hospital and also the fact that there is a counter case, 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, Oddanchatram on condition that the petitioners 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 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 am., until further orders;

(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**



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

23/04/2021

**(*) Amended as per order of this Court
dated 23/04/2021 in CRL MP(MD) No.3385 of
2021 IN CRL OP(MD) No.5280 of 2021 by GRSJ.**

/ 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, ODDANCHATRAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
3. THE INSPECTOR OF POLICE,
ODDANCHATRAM POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.5280 of 2021
Date : 23/04/2021

SJI
AE/MNR/SAR-III/25.05.2021/3P/5C