



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 19/04/2021

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PRESENT

The Hon'ble Mr. Justice G. CHANDRASEKHARAN

CRL.OP(MD).No.5356 of 2021

1.G.M.Velu @ Velmurugan

2.Gomathi Sankar

3.Durai @ Chelladurai

... Petitioners/Accused

Nos.1, 3 & 5

Vs

The State rep by

The Inspector of Police,

Kovilpatti East Police Station,

Thoothukudi District.

Cr.No.237 of 2021.

... Respondent/Complainant

For Petitioners: Mr.Jegadeesh Pandian, M.,  
Advocate.

For Respondent : Ms.R.Anandhadevi,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.237 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 435, 506(i) IPC., & Section 4 of TNPWH Act 2002 in Crime No.237 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 06.04.2021, the defacto complainant's husband called and informed that he was implicated in a case relates to distribution of money to the voters, subsequently at about 14.00 hrs, the first petitioner and four named persons came to the house of the defacto complainant, scolded her with dire consequences and set ablaze the two wheeler, bearing Registration No.TN-96-A-5558. Hence, the complaint.



3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent.

4. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have falsely implicated in this case. He further submitted that due to election rival motive, the case has been registered. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (Crl.side) submitted that due to political rival motive the petitioners set fire to the motor cycle bearing Registration No.TN-96-A-5558.

6. It is seen from the submissions made that due to political rival motive there was a dispute between the petitioners and the defacto complainant and the petitioners set fire to the motor cycle bearing Registration No.TN-96-A-5558. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with conditions.

7. Accordingly, the petitioners shall jointly deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) to the credit of Crime No.237 of 2021 on the file of the learned Judicial Magistrate No.I, Kovilpatti, Thoothukudi District and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on 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.1, Kovilpatti, Thoothukudi District, 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 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 respondent police daily at 10.30 a.m., 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 5560]**;

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
19.04.2021

/ TRUE COPY /

/ /2021  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

vsd

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.1, KOVILPATTI,  
THOOTHUKUDI DISTRICT
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,  
KOVILPATTI EAST POLICE STATION,  
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.5356 of 2021  
Date : 19/04/2021

VB/PN/SAR-II (22/04/2021) 3P / 5c