



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

Date : 22/04/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.5784 of 2021

1. Aranganathan
2. Balaji
3. Venkatesan @ Venkatesh ... Petitioners/Accused
(Rank Not Known)
Vs

The Inspector of Police,
Lalgudi Police Station,
Trichy District
(Crime No.280/2021) ... Respondent/Complainant

For Petitioner : M/s.Lenin Kumar.T.,
Advocate.
For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

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

PRAYER :-

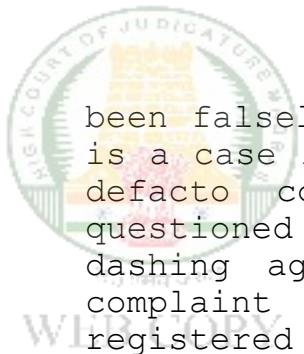
For Anticipatory Bail in Crime No.280 of 2021 on the file of
the respondent Police

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, 341, 294(b), 332 and 506(i) I.P.C., in Crime No.280 of 2021,
seek anticipatory bail.

2.The case of the prosecution is that on 18.04.2021, at about
06.30 p.m, one Arul Mohan/defacto complainant, the driver of TNSTC
bus bearing Registration No.TN-72-N-1554, was driving the bus and
when he was offloading the passengers at Lalgudi bus stop, the
petitioners waylaid the defacto complainant in their Car bearing
Registration No.TN-45-AY-2623 and beat him indiscriminately.

3.The learned counsel appearing for the petitioners submitted
that the petitioners are innocent persons and they have not
committed any offence as alleged by the prosecution and they have



been falsely implicated in this case. He further submitted that it is a case in counter. Earlier the petitioners were attacked by the defacto complainant and his associates, when the petitioners questioned the defacto complainant about his rash driving and dashing against their car. One of the petitioners has given a complaint against the defacto complainant and the same was registered in Crime No.282 of 2021, for the offence under Sections 147, 294(b), 427 and 506(i) I.P.C. As a counter blast, the present complaint has been filed. Hence, he seeks anticipatory bail.

4.The learned Additional Public Prosecutor, appearing for the respondent police submitted that it is a case in counter. He further submitted that the injured person has already been discharged from the hospital.

5.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

6.Considering the sequence of the events before the incidents and the nature of incident and also the fact that it is a case in counter and the injured person has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

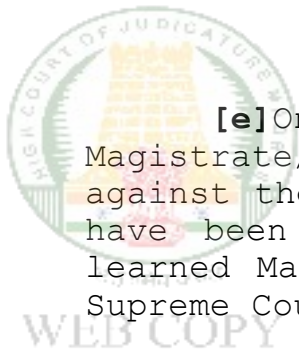
7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Lalgudi, on condition that the petitioners shall execute a bond for 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 am., 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]**.

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

sd/-
22/04/2021

/ 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,
LALGUDI, TRICHY DISTRICT.
 2. DO THROUGH CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
 3. THE INSPECTOR OF POLICE,
LALGUDI POLICE STATION,
TRICHY DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.LENIN KUMAR.T, Advocate SR.No.3331

ORDER
IN
CRL OP(MD) No.5784 of 2021
Date :22/04/2021

AMS/VR/SAR-3/30/04/2021/3P/6C