



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

Thursday, the Twenty Ninth day of April Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) No.6128 of 2021

1. A.Bala Murugan
2. Muthukani
3. Muthukrishnan ... Petitioners/Accused No.1 to 3

Vs

State:
The Inspector of Police,
Kulathur Police Station,
Tuticorin District.
Crime No. 111 of 2021. ... Respondent/Complainant

For Petitioner : M/s.Raama Krishnan Ka.,
Advocate.

For Respondent : Mr.Kr.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.111 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
294(b), 323, 506(i) and Section 4 of TNPHW Act, 2002 in Crime
No.111 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the
defacto complainant are neighbors. Due to previous enmity, the
first petitioner threw stones on the defacto complainant's house and
when the defacto complainant questioned the same, the petitioners
abused her in filthy language. Hence, the complaint.

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



4.The learned Government Advocate(Crl.side) submitted that investigation is pending.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6.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, Vilathikulam, Tuticorin District on condition that the petitioner 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 1 & 3 shall report before respondent police daily at 10.30 am., until further orders and the second petitioner shall report before the respondent police as and when required.

[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/-
29/04/2021

/ TRUE COPY /

/ /2021



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, VILATHIKULAM, TUTICORIN DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
KULATHUR POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6128 of 2021
Date :29/04/2021

GNS
CSL/05.05.2021 : 3P/5C