



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

Date : 30/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.6236 of 2021

WEB COPY

1. Dhillip @ Dhillip Kumar,
2. Vignesh

... Petitioners/Accused
(Rank not known)

Vs

The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
Crime No.371 of 2020).

... Respondent/Complainant

For Petitioners: M/s.Kameswaran.S.,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.371 of 2020 on the file of the
respondent police

ORDER : The Court made the following order :-

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

2.The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under sections
147,447,323 IPC and Section 4 of Tamil Nadu Prohibition of
Harassment of Women Act in Crime No.371 of 2020 on the file of the
respondent police, seek anticipatory bail.

3.It is seen from the case of the prosecution that the
accused after consuming liquor, played carom board in front of the
house of the defacto complainant and making lot of noise. When the
defacto complainant told them not to make noise, they did not stop,
instead they started attacking the wife, mother and children of the
defacto complainant. Therefore, the defacto complainant's wife was
admitted in the hospital. Hence, this complaint.

4.The learned counsel for the petitioners would submit that
the petitioners are innocent and the co-accused were also released
on bail in CRMP No.306 of 2020, dated 22.05.2020, before the
Judicial Magistrate Court, Sivagangai.



5. The learned Government Advocate (Crl.side) appearing for the respondent submitted that the petitioners/ accused were involved in the offence and opposed to grant Anticipatory Bail.

6. Taking note of the fact that the occurrence had taken place on 19.05.2020 and also the injured discharged from the hospital and the fact that the co-accused released on bail, I am 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, Singampunari, Sivagangai 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 shall report before 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 5560]**.
- f) If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

30.04.2021

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/ /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,
SINGAMPUNARI,
SIVAGANGAI DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
SINGAMPUNARI POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.6236 of 2021

Date : 30/04/2021

VB VR SAR I (18/05/2021) 3P / 5c