



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

Thursday, the Sixth day of May Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP (MD) . No.6475 of 2021

1. Joseph
2. Charles Prowlin
3. Nelson @ Nelson Fraderick
4. Reymond
5. Nepoliyan @ Savarinayagam
6. Jesi Elaniya
7. Susana Sushmitha ... Petitioners/Accused Rank not known

Vs

The State Rep.by  
The Inspector of Police,  
Lalgudi Police Station,  
Trichy District  
Cr.No.292 of 2021. ... Respondent/Complainant

For Petitioners : M/s. Lenin Kumar.T,  
Advocate.

For Respondent : Mr.A.Robinson (Crl.Side),  
Government Advocate (Crl.Side)

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

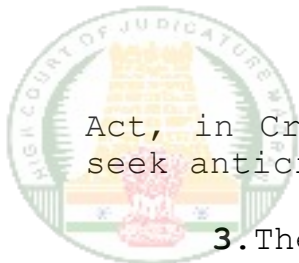
PRAYER :-

For Anticipatory Bail in Crime No.292 of 2021 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 apprehending arrest at the hands of the  
respondent police for the offences punishable under sections 147,  
148, 294(b), 323, 324 and 506(ii) of I.P.C., and Section 4 of TNPHW



Act, in Crime No.292 of 2021 on the file of the respondent police, seek anticipatory bail.

3.The case of the prosecution is that the petitioner owned a land in his locality. The defacto complainant encroached upon the land. When the petitioners asked her to vacate the land, the defacto complainant along with 11 others attacked them brutally. Angered by the same, on 27.04.2021, when the complainant was standing near her house, the petitioners abused her using filthy language and assaulted her with hands and also threatened her with dire consequences.

4.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He further submitted that case in counter case has been registered.

5.The learned Government Advocate (Crl.Side) would submit that the injured has been discharged from the hospital.

6.Considering the facts and circumstances of the case, the fact that the injured has been discharged from the hospital and the fact that except 506 (ii) of IPC, other offences are bailable offences, 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 two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Laldugi and on their executing 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 learned Magistrate concerned and on further conditions that:

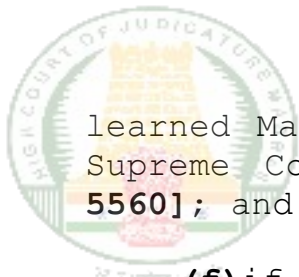
(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar cards or Bank pass Books to ensure their identity;

(b)the petitioners shall report before the respondent police on every Monday 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]**; and

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

sd/-  
06/05/2021

/ 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.
- 2 DO THROUGH THE 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.T.LENIN KUMAR, ADVOCATE IN SR NO.3654

ORDER  
IN  
CRL OP(MD) No.6475 of 2021  
Date :06/05/2021

RMI  
CSL/MNR/SAR-I/19.05.2021 : 3P/6C