



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

Date : 06/05/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD) . No.6530 of 2021

1.A.Lakshmi
2.A.Selvakumar
3.P.Subbaian

... Petitioners/Accused No.1 to 3

Vs

State Rep.by
The Inspector of Police,
Peraiyur Police Station,
Madurai District.
(In Crime No.105 of 2021)

... Respondent/Complainant

For Petitioners : Mr.Vinothkumar,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.105 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 506(i) and 109 of I.P.C., in Crime No. 105 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 28.03.2021, at the instigation of the third petitioner herein, the petitioners 1 and 2 herein joined together and attacked the defacto complainant with lock and abused him in filthy language and also threatened him with dire consequences. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are no way connected with the alleged occurrence and they have been falsely implicated in this case. He would further submit that the injured has been treated as 'out patient'.



4.The learned Government Advocate(Crl.Side) would submit that the injured has been treated as 'out patient' and no previous case is pending against the petitioners.

5.Considering the facts and circumstances of the case and the fact that the injured has been treated as 'out patient', 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, Peraiyur, Madurai District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 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 absconds, 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.

WEB COPY

TO

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

+1 CC to M/s.B.VINOTH KUMAR, Advocate (SR-3668[I] dated
06/05/2021)

ORDER

IN

CRL OP(MD) No.6530 of 2021

Date :06/05/2021

IAS/CP

MS/PN/SAR-3/11.05.2021/3P.6C