



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

Wednesday, the Twelfth day of May Two Thousand and Twenty One

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PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP (MD) No.6755 of 2021

1. Mani @ Manikandan
2. Archunan @ Arjunan
3. Vimal
4. Karuppaiah

... Petitioners/Accused No.4,5,7 & 9

Vs

State Rep.by,
The Inspector of Police,
Sakkottai Police Station,
Sakkottai, Sivagangai District.
Crime No.10 of 2021

... Respondent/Complainant

For Petitioner : Mr.Prabhu.T.,
Advocate.

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

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

PRAYER :-

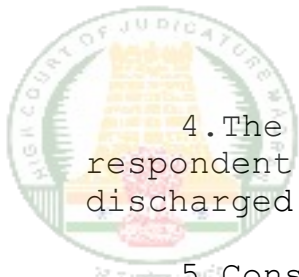
For Anticipatory Bail in Crime No.10 of 2021 on the file of the respondent police.

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, 148, 294(b), 341, 452, 323, 324, 427, 307 IPC in Crime No.10 of 2021, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, on 14.01.2021, the petitioners scolded the defacto complainant in filthy language and assaulted him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and the co-accused were arrested and released on bail by this Court vide order dated 11.02.2021 made in Crl.O.P. (MD) No.1285 of 2021. Therefore, he seeks anticipatory bail to the petitioners.



4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused were arrested and released on bail by this Court vide order dated 11.02.2021 made in Crl.O.P. (MD)No.1285 of 2021, 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 Court, Karaikudi, on condition that the petitioners shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh 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 are directed to deposit a sum of Rs.3,000/- (Rupees Three Thousand only)each to the credit of Indian Overseas Bank, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), within a period of two weeks without prejudice to their rights and contentions before the trial Court.

[c]the petitioners shall report before respondent police as and when required.

[d]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e]the petitioners shall not abscond either during investigation or trial.

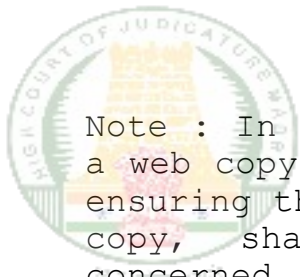
[f]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

sd/-
12/05/2021

/ 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.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SAKKOTTAI POLICE STATION, SAKKOTTAI, SIVAGANGAI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE BRANCH MANAGER,
INDIAN OVERSEAS BANK, SECRETARIAT BRANCH,
CHENNAI-9 (ACCOUNT NO.11720 10000 00070,
IFSC CODE: IOBA0001172),

ORDER
IN
CRL OP(MD) No.6755 of 2021
Date :12/05/2021

GNS

CSL/VR/SAR-IV/19.05.2021 : 3P/6C