



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/05/2021

WEB COPY

PRESENT

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

CRL OP(MD) . No.6744 of 2021

1.Sangili @ Sangili Karupu
2.Ramachandran

... Petitioners/1st & 2nd Accused

Vs

State Rep. by
The Inspector of Police,
Sanarpatti Police Station,
Dindigul District
Crime No.84/2020.

... Respondent/Complainant

For PetitionerS : Mr.Gurudas.M, Advocate

For Respondent : Mr.M.V.Chandrasekaran,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.84 Of 2020 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, 324, and 506(ii) of IPC in Crime No.84 of 2020, seek anticipatory bail.

2.The case of the prosecution is that while conducting cock fight during the temple festival, there was a wordy quarrel between the petitioners and the defacto complainant, due to which, the petitioners assaulted the defacto complainant with wooden log and also abused him in filthy language.

3.The learned counsel for the petitioners submitted that the petitioners did not commit any offence as alleged by the prosecution and the defacto complainant only attacked the petitioners, for which the petitioners have lodged a complaint before the respondent



police, which was registered is Crime No.83 of 2021. No previous case is pending against the petitioners. Hence, the learned counsel seeks anticipatory bail for the petitioners.

4.The learned Government Advocate submitted that the petitioners have committed offence under Sections 294(b), 323, 324, and 506(ii) of IPC out of which, 506(ii) of IPC is a major offence and that a case in Crime No.84 of 2021 is also pending against the petitioners. He also submitted that there are two injured persons and both of them are discharged from the Hospital.

5.Heard the learned counsel appearing for the petitioners and the learned Government Advocate appearing for the respondent.

6.It is seen from the submissions made that the two injured persons are discharged from the Hospital and in view of the same, this Court is inclined to grant anticipatory bail to the petitioners.

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 No.III, Dindigul on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees fifty 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.

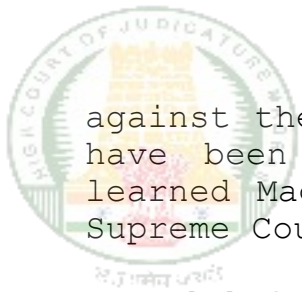
[b]the petitioners shall appear before the respondent police as and when required.

[c]the petitioners are directed to deposit a sum of Rs.1,000/- (Rupees One Thousand only) each to the credit of IOB, 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;

[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 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
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 NO.III, DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT, CHENNAI-9.

+1 CC to M/s.M.GURUDAS, Advocate (SR-3700[I] dated 17/05/2021)

ORDER
IN
CRL OP(MD) No.6744 of 2021
Date :12/05/2021

mbi/vrn
JM/AKM/SAR IV/20.05.2021/3P/7C

<https://hcservices.ecourts.gov.in/hcservices/>