



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

Date : 20/05/2021

PRESENT

The Hon'ble Mr.JUSTICE G.ILANGO VAN

CRL OP(MD) . No.6756 of 2021

1. Ranjani
2. Chellathurai
3. Karthick
4. Saravanan
5. Selvi @ Tamilselvi
6. Thiruppathi

... Petitioners/Accused No.1 to 6

Vs

The Inspector of Police,
Lalgudi Police Station,
Trichy District.

... Respondent/Complainant

For Petitioners : Mr.P.Ganapathi Subramanian,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

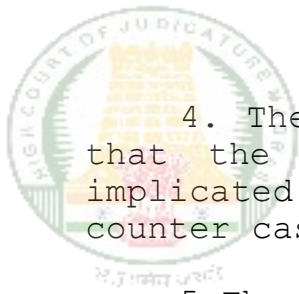
PRAYER :- Anticipatory Bail in Crime No.319 Of 2021 on the file of the respondent Police.

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, 294(b), 323, 324 of I.P.C., r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.319 of 2021 on the file of the respondent police, seek anticipatory bail.

3. The case of the prosecution is that on 10.04.2021, due to the land dispute, the petitioners accused assaulted and also abused the defacto complainant. Hence the complaint.



4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that it is a case in counter case.

5. The learned Additional Public Prosecutor appearing for the respondent submitted that the injured has been discharged from the hospital.

6. Considering the facts and circumstances of the case and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest by the respondent police on executing personal bond for a sum of Rs.10,000/- [Rupees Ten Thousand only] each with two sureties each for a likesum to the satisfaction of the respondent police and on further condition that the petitioners shall appear before the Judicial Magistrate Court, Lalgudi, and execute a fresh personal bond for a sum of Rs.10,000/- [Rupees Ten Thousand only] each with two sureties each for a likesum to the satisfaction of the concerned Judicial Magistrate, within a period of one month, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation and on further conditions that:

(a) 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 once in a week i.e on every Monday at 10.30 a.m until further orders.

(c) The petitioners shall not tamper with evidence or witness.

(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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
20/05/2021

/ TRUE COPY /

WEB 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.

ORDER
IN
CRL OP(MD) No.6756 of 2021
Date :20/05/2021

RMI/PKN
MS/PN/SAR-3/25.05.2021/3P.5C