



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2021

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PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) . No.7190 of 2021

1. Bruslee
2. Latha
3. Thirumurugan

... Petitioners/Accused 1 to 3

Vs

The Inspector of Police,
Contonement Police Station,
Trichy City,
Trichy District.

... Respondent

For Petitioners : Mr.S.Chellapandian,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.409 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 offences punishable under Section 452, 294(b) & 506(ii) of IPC in Crime No.409 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons had gone to the office of the Advocate and had abused him in filthy language and threatened him with dire consequences and also taken a Can containing petrol and threatened to burn down the office. There are totally four accused persons in this case and the petitioners are arrayed as A1 to A3.

3.The learned counsel for the petitioners submitted that there was a previous case against the first and second petitioners and

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



they had engaged an Advocate. Thereafter, there was some misunderstanding and the petitioners insisted for returning back the case bundle. There was a quarrel and hence a false case has been foisted against the petitioners.

4.The learned Additional Public Prosecutor, on instructions, would submit that the first and second petitioners have one previous case under Section 420 of I.P.C. It was brought to the notice of this Court that no one was injured and no damage was caused to the property.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent police.

6.Taking into consideration the facts and circumstances of the case and also the fact that no one was injured in this case, 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 bonds for a sum of Rs.5,000/- [Rupees Five Thousand only] each with two sureties (common sureties for all the petitioners) each for a likesum to the satisfaction of the respondent police and on further condition that the petitioners shall appear before the learned Judicial Magistrate No.II, Trichy, and execute fresh personal bonds for a sum of Rs.5,000/- [Rupees Five Thousand only] with two sureties (common sureties for all the petitioners) 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:

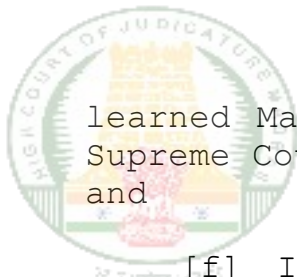
[a]the sureties shall affix their photographs and Left Thumb Impression in the surety bonds and the Magistrate may obtain a copy of their Aadhar cards or Bank pass Books to ensure their identity;

[b]the petitioners shall report before the respondent police as and when required for interrogation;

[c]the petitioners shall not abscond either during investigation or trial;

[d]the petitioners shall not tamper with evidence or witness 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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

04/06/2021

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/ /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.II,
TRICHY.
- 2.DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3.THE INSPECTOR OF POLICE,
CONTONEMENT POLICE STATION,
TRICHY CITY, TRICHY DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.CHELLAPANDIAN, Advocate SR.No.3836

ORDER

IN

CRL OP(MD) No.7190 of 2021

Date :04/06/2021

TM

AE/AKM/SAR-II/09.06.2021/3P/6C