



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

Date : 04/06/2021

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.7222 of 2021

1.Karuthasamy
2.Sathaiah
3.Seeni @ Seenivasan ... Petitioners/Accused No.4,6 and 10
Vs

State Rep.by
The Inspector of Police,
Aravayal Police Station,
Sivagangai District.
Crime No.72 of 2021. ... Respondent/Complainant

For Petitioners: Mr.K.Raghul Priyan,
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.72 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 147, 148, 341, 294(b), 323, 324, 506(ii), 120 B of IPC, in Crime No.72 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was some land dispute between A1 and the defacto complainant. The same resulted in the defacto complainant being attacked by the accused persons and he was also intimidated with dire consequences.

3.The learned counsel for the petitioners would submit that false case has been foisted against the petitioners and they have nothing to do with the alleged offence.



4.The learned Additional Public Prosecutor, on instructions, would submit that there are totally 13 accused persons in this case and the petitioners have been arrayed as A4, A6 and A10. The learned counsel further submitted that the injured person has been discharged from the hospital and there are no previous cases against the petitioners 1 and 3 and there are two previous cases pending against the second petitioner.

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

6.Taking into consideration the facts and circumstances of the 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 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 learned Judicial Magistrate, Devakottai 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/06/2021

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

ORDER
IN
CRL OP(MD) No.7222 of 2021
Date :04/06/2021

TM
MS/AKM/SAR-3/09.06.2021/3P.5C