



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

Date : 14/06/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.7719 of 2021

1. Arun Pandi
2. Poomayil Raja
3. R.Ramkumar

... Petitioners/Accused 1 to 3

Vs

The State rep.by
The Inspector of Police,
Alanganallur Police Station,
Madurai District
Crime No. 282/2021.

... Respondent/Complainant

For Petitioners : Mr.S.P.Naveen Kumar,
Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory bail in Crime No.482/2021 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 offence punishable under Sections 109, 294(b), 448, 342, 324, 506(ii) IPC in Crime No.282 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 06.06.2021, at about 04.30 pm., when the defacto complainant and his father were at their house, due to the previous enmity, the accused Arun trespassed into their house and threw knife at his father. The knife hit his father's neck and caused injuries and the said Arun criminally intimidated by using the knife. Therefore, this case came to be registered.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.



4.The learned Government Advocate(Crl.Side) appearing for the respondent police strongly opposed this petition on the ground that the investigation in this case is pending. He also submitted that the injured person has already been discharged from the hospital.

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

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, T.Vadipatti, within a period of fifteen days from the date of resumption of regular work in subordinate Courts, on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the said Magistrate 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 report before the respondent police daily at 10.30 a.m., until further orders;

[c]the petitioners shall not tamper with evidence or witness either during investigation or trial;

[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 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]**;

[f]If the accused/petitioners thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
14/06/2021

/ 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,
T.VADIPATTI, MADURAI DISTRICT.
- 2.-DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7719 of 2021
Date :14/06/2021

GNS
AE/PN/SAR-II/16.06.2021/3P/5C