



WEB COPY

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

Date : 17/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.7928 of 2021

1. Karthi @ Karthick,

2. Monish ... Petitioners/Accused Rank No.1 and 2

Vs

The State through
The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.
Crime No.38/2021.

... Respondent/Complainant

For Petitioner : M/s.Chakkkaravarthy.S.J.,
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.38 of 2021 on the file of the
respondent Police

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of
the respondent police for the alleged offences punishable under
Sections 341, 324, 294(b) and 506(2) of IPC, in Crime No.38 of 2021,
seek anticipatory bail.

2.The case of the prosecution is that on 11.06.2021 at about
08.30 p.m., when the de-facto complainant along with his brothers
<https://hcservices.fourtomobiles/hcservices/> walking at Bye-pass service Road, the accused came



and attacked him as a result, he suffered injuries and the accused also criminally intimidated the de-facto complainant and others. Therefore, this case came to be registered.

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

4.The learned Government Advocate (Crl.side) strongly opposed this petition on the ground that the investigation in this case is not completed. He further submitted that the petitioners are having three previous cases, out of which, two cases are similar in nature.

5.The learned counsel for the petitioners submitted that the previous cases are false case and the petitioners are ready to abide by any stringent conditions.

6.Taking note of the facts and circumstances of the case and the fact that the injured suffered only a simple injuries and he was already discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with conditions.

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, Aruppukottai, Virudhunagar District, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

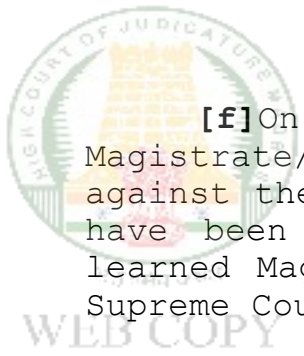
[a]the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b]the petitioner/A1 shall report before the respondent police, daily morning at 10.30 a.m. and evening 05.30 p.m., until further orders;

[c]the petitioner/A2 shall report before the respondent police, daily at 10.30 a.m., until further orders;

[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/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]**;

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
17/06/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

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,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PANDALGUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.CHAKKKARAVARTHY.S.J. Advocate SR.No.4045

ORDER
IN
CRL OP(MD) No.7928 of 2021
Date :17/06/2021

KM:RSK:SAR4(22.06.2021) 3P 6C