



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

Date : 25/06/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.8332 of 2021
(Through Video Conference)

1.Anand
2.Lakshmanan
3.Vadivel
4.Vijay

... Petitioners/Accused
No.1 to 4

Vs

State rep. By
The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
Crime No.570/2021.

... Respondent/Complainant

For Petitioners : M/s.M.Laxmi Mahendraa,
Advocate.

For Respondent : Mr.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.570 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(i) of IPC, in Crime No.570 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 20.06.2021 at about 3:30 p.m. one Arumugam, who was returning back to home from Pudukkottai noticed one Chandran talking with a girl named Rani of the same village. When Arumugam enquired Chandran and Rani, there arose a fight between Chandran and Arumugam. At that time, the petitioners who came in motor cycles, enquired the reason for



attacking Arumugam, during which, Chandran also attacked the petitioners using the wooden log. Anand, Lakshmanan and Vijay also attacked him. 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. He further submitted that there is a case registered against the de facto complainant and others on the basis of the complaint given by Anand in Crime No.569 of 2021 for the offence under Section 294(b), 323, 324, 506(i) of IPC and Section 3(2) (va) of SC/ST (Prevention of Atrocities) Act, 1989.

4.The learned Government Advocate (Crl.side) for the respondent strongly opposed this petition on the ground that investigation is not completed. He further submitted that the injured has been discharged from the hospital.

5.It is a case where two cases have been registered with regard to the same incident, in which some persons from both the parties suffered injuries. It is now informed that the injured has been discharged from the hospital. Taking into consideration 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 with certain conditions.

6.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 District Munsif cum Judicial Magistrate, Illupur 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:

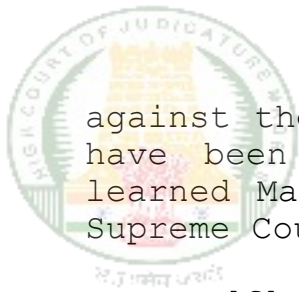
[a]the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b]the 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 or the 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 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
25/06/2021

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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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ILLUPUR.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8332 of 2021
Date :25/06/2021

STS
TK/AKM/SAR.2/05.07.2021/3P/5C