



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.8704 of 2021

1. Sundaram @ Sundaramoorthy

2. Muthumurugan

... Petitioners/Accused 1 & 4

Vs

State Rep. by

The Inspector of Police,

Soolakkarai Police Station, Soolakkarai,

Virudhunagar District.

Crime No.110 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Selvakumar.S,
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.110 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 alleged offences punishable under Sections 294(b), 324 & 506(ii) IPC r/w Section 4 of the Women Harassment Act in Crime No.110 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 27.06.2021, at about 05.15 pm., when the defacto complainant came near Perumal Kovil, the accused were picking up quarrel with the brother of the defacto complainant and the same was questioned by him. Therefore, the accused Suntharamoorthy scolded him in filthy language and the accused Veeraperumal attacked him with liquor bottle and the accused Ajithkumar attacked him with knife on right hand. When his mother interfered, the said Ajithkumar hit her with iron pipe and one Muthumurgan pushed down the defacto complainant and thereafter, all the accused criminally intimidated the defacto complainant. Hence,



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) appearing for the respondent police opposed this petition on the ground that investigation is not completed. However, he conceded that A2 and A3 were arrested and the injured person has already been discharged from the hospital.

5.Considering the nature of the offence and the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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 Judicial Magistrate No.II, Virudhunagar 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 respondent police daily at 10.30 am., 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 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

05/07/2021

/ 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.

WEB COPY

- TO
- 1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE,
SOOLAKKARAI POLICE STATION,
SOOLAKKARAI, VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8704 of 2021
Date :05/07/2021

gns
JM/RSK/SAR V/07.07.2021/3P/5C