



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2021

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PRESENT

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP (MD) No.9679 of 2021

1.Mothi @ Mothilal
2.Vasu @ Vasudevan
3.Sugu @ Sugumar
4.Mahalilingam
5.Balaji
6.Munichamy
7.Sathish
8.Suresh
9.Mani @ Manikandan
10.Karthick

... Petitioners Nos.1 to 10/
Accused No.1 ,3 and 6 to 13

Vs

State through the represented by
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.400 of 2021)

... Respondent/Complainant

For Petitioner : Mr.R.Rajaselvan

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.400 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 147, 294(b), 323, 427, 379 and 506(i) IPC in Crime No.400 of 2021, seek anticipatory bail.



2.The case of the prosecution is that due to money dispute, the accused persons damaged the vehicles and house hold articles of the defacto complainant, worth about Rs.1,50,000/- and also taken 10 sovereigns of gold jewels and Rs.1,00,000/-. The accused also made criminal intimidation. Therefore, the present case came to be registered.

3.The learned counsel for the petitioners submitted 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 submitted that there is a counter case also pending and the defacto complainant has been treated as out patient.

5.Considering the submission of the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioners subject to the condition that the petitioners shall jointly deposit a sum of Rs.1,50,000/- to the credit of Cr.No.400 of 2021 before the learned Judicial Magistrate, Melur, Madurai District, within a period of 15 days from the date of receipt of a copy of this order.

6.On such deposit, 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, Melur, Madurai 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 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.

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Sd/-
22/07/2021

/ TRUE COPY /

/ /2021

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

GNS

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,
MELUR, MADURAI DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3.THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.RAJA SELVAN, Advocate (SR-4760[I] dated 22/07/2021)

ORDER
IN
CRL OP(MD) No.9679 of 2021
Date : 22/07/2021

VB/VR/SAR.IV/27.07.2021/3P/6C