



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

Date : 23/07/2021

PRESENT

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD) . No.9777 of 2021

1.Raja Shanmugapriyan @ SRS.Priyan
2.Manikandan
3.Kanagasundaram ... Petitioners/Accused 1 to 3

Vs

State rep.by
The Inspector of Police,
Kollidam Police Station,
Trichy City.
Crime No.293 of 2021) ... Respondent/Complainant

For Petitioners: Mr.T.Lenin Kumar,
Advocate.

For Respondent : Mr.M.Muthu Manikkam,
Government Advocate (Crl.Side)

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

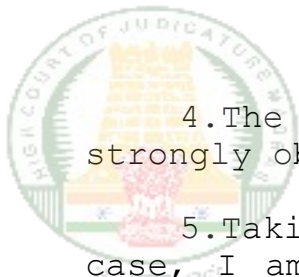
PRAYER :- For Anticipatory Bail in Crime No.293 of 2021 on the file of the Respondent Police.

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 440, 380, 294(b), 324 and 506(ii) of IPC, in Crime No.293 of 2021, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners came to the defacto complainant's house and abused him using filthy language, attacked him with bear bottle and also threatened with dire consequences. It is further alleged that during the said occurrence, the 1st petitioner along with others took away cash of Rs.1,50,000/- and a new cell phone belonging to the defacto complainant.

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



4.The learned Government Advocate (Crl.side) for the respondent strongly objects to grant anticipatory bail to the petitioners.

5.Taking into consideration the facts and circumstances of the case, I am 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 Judicial Magistrate, Srirangam 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 K.K.Nagar Police Station, Madurai daily at 10.00 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 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/07/2021

/ 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,
SRIRANGAM.
 - 2.-DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
 - 3.THE INSPECTOR OF POLICE,
KOLLIDAM POLICE STATION,
TRICHY CITY.
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO
THE INSPECTOR OF POLICE,
K.K. NAGAR POLICE STATION,
MADURAI.

ORDER
IN
CRL OP(MD) No.9777 of 2021
Date :23/07/2021

MM
RT/JC/SAR-I/27.07.2021/3P/6C