



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

Date : 23.07.2021
PRESENT

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The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD) . No.9874 of 2021

1. Karnan
- 2.Rajashrikaran
- 3.Sadaasaranathan
- 4.Swaminathan
- 5.Thirumeninathan
- 6.Chinnakalai
- 7.Regunathan
- 8.Rajakarnakumari
- 9.Suriya
- 10.Vijaya

... Petitioners/Accused
Nos.1 to 10

Vs

The State rep.by
The Sub-Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
Crime No.454 of 2021.

... Respondent/Complainant

For Petitioner : T.VEERAKUMAR, 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.454 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A10, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 324, 506(ii) and 427 of IPC, in Crime No.454 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's brother had eloped with the 1st petitioner's daughter. Due to which, the petitioner is said to have assaulted the de-facto complainant and their family members. Hence the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would also submit that a counter case has been registered against the de-facto complainant in Crime No.453 of 2021.

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4.The learned Government Advocate(Crl.Side) would submit that a case and counter has been registered in Crime No.453 of 2021 against the de-facto complainant. He would further submit that the petitioners are having previous cases pending against them.

5.Taking into consideration the facts and circumstances of the case and the fact that this is a case and case in counter, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Pattukottai, Thanjavur 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 to 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 stay at Madurai and report before the S.S.Colony Police Station, Madurai, 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]***; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/07/2021

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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 JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE SUB INSPECTOR OF POLICE
VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
4. THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI DISTRICT.

ORDER
IN
CRL OP(MD) No.9874 of 2021
Date : 23/07/2021

SA/SRS/SAR.2/27.07.2021/3P/6C