



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

Date : 06.08.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10242 of 2021

1.Muthuramalingam
2.Karthikeyan

... Petitioners/Accused Rank not known

Vs

State Rep by
The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.
(In Crime No.159 of 2021) ... Respondent/Complainant

For Petitioners : Mr.D.Balamurugapandi, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate(Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime no.159 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), 353 and 506(1) of IPC in Crime No.159 of 2021, seek anticipatory bail.

2. The case of the prosecution is that on 21.07.2021, there was a wordy quarrel between the petitioners and the defacto complainant and the petitioners have also abused the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners submits that the defacto complainant and another person has unnecessarily questioned these petitioners and has also caused serious injuries to them. The petitioners have also lodged a complaint as against the defacto complainant and another constable by name Malairaj and Ganesan.



4. Heard the learned Government Advocate (Criminal Side) appearing for the respondent Police.

5. As a retaliation this complaint has been lodged by the defacto complainant against these petitioners. Hence, this Court is inclined to grant anticipatory bail to the petitioners and this petition is allowed.

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 Judicial Magistrate, Rameswaram, Ramanathapuram 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 Magistrate concerned and on further conditions 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 as and when required, until further orders.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

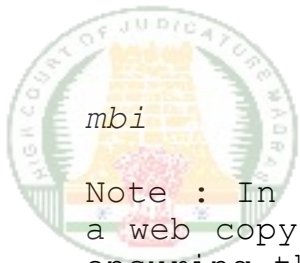
[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down 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/-
06/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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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,
RAMESWARAM,
RAMANATHAPURAM DISTRICT
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE
JETTY POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC to M/S.D.BALAMURUGAPANDI, Advocate (SR-5181[I] dated 06/08/2021)

ORDER
IN
CRL OP(MD) No.10242 of 2021
Date : 06/08/2021

PKP/ PN/SAR-3/18/08/2021/3P/6C