



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

Date : 09.08.2021

PRESENT

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The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP (MD)No.10723 of 2021

1.S.Imran Khan
2.P.Sithik Raja

... Petitioners/Accused Nos.
Rank Not Known

Vs

The State Rep. by,
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.333 of 2021).

... Respondent/Complainant

For Petitioners : Mr.I.Sabeer Mohamed,
Advocate

For Respondent : Mr.T.Senthilkumar
Government Advocate(Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime no.333 of 2021 on the file of the respondent Police.

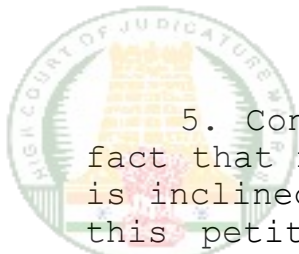
ORDER : The Court made the following order :-

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 and Section 3 of TNPPDL Act in Crime No.333 of 2021, seek anticipatory bail.

2. The case of the prosecution is that on 01.08.2021, the relative of the petitioners namely Hakkim Sat, died in the Government Hospital, Tiruppuvanam and hence, the petitioners caused a problem in the Hospital and damaged the public properties. Therefore, this case came to be registered.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case.

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



5. Considering the facts and circumstances of the case and the fact that major offence is under Section 506(1) of IPC, this Court is inclined to grant anticipatory bail to the petitioners and hence, this petition is allowed and **(*)the petitioners are directed to deposit a sum of Rs.3,000/- to the credit of Crime No.333 of 2021 before the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District,** since they have caused damage to the public properties.

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, Thiruppuvanam, Sivagangai 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/-
09/08/2021

**(*)BEING MENTIONED AS PER THE
ORDER OF HON'BLECOURT MADE IN
CRL OP(MD) 7657 OF 2021 VIDE
ORDER DATED 07.09.2021.**

/ 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

TO BE SUBSTITUED IN THE ORDER DATED 09/08/2021 ALREADY DESPATCHED

1. THE JUDICIAL MAGISTRATE,
THIRUPPUVANAM, SIVAGANGAI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGNAGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to Mr.I.SABEER MOHAMED, Advocate (SR-5241[I] dated 10/08/2021)

ORDER

IN

CRL OP(MD) No.10723 of 2021

Date :09/08/2021

USK/JC/SAR-II : 18/08/2021 : 3P/6C

SS/PN/SAR-III : 15/09/2021 : 3P/6C