



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

Date : 05/08/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD)No.10719 of 2021

WEB COPY

1. K.Selvapathy,
2. S. Muruganantham,
3. M. Muthulakshmi,
4. Saravanan, ... Petitioners/Accused Nos.1 to 4

Vs

State Rep. by
The Inspector of Police,
Kalaiyarkoil Police Station,
Sivagangai District
(Crime No.366/2021).

... Respondent/Complainant

For Petitioners: M/s.Ganeshkamu M,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 366 /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
143, 294(b), 323 and 506(i) IPC in Crime No.366 of 2021, seek
anticipatory bail.

2.The case of the prosecution is that on 11.06.2021, a wordy
quarrel arose between the defacto complainant and the petitioners.
Due to the same, the petitioners abused the defacto complainant in
filthy language and also attacked her. Therefore, the present case
came to be registered.

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



4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent police.

5. Considering the facts and circumstances of the case and also the fact that major offence is only under Section 506(i) IPC, this Court is inclined to grant anticipatory bail to the petitioners and this criminal original 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 learned Judicial Magistrate No.I, 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 learned 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before respondent police as and when required.

[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/-
11/08/2021

/ 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.

<https://hcservices.ecourts.gov.in/hcservices/>



TO

- 1.The Judicial Magistrate No.I,
Sivagangai District.
- 2.Do-Through The Chief Judicial Magistrate,
Sivagangai District.
- 3.The Inspector of Police,
Kalaiyarkoil Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL OP(MD) No.10719 of 2021
Date : 05/08/2021

TR/PN/SAR-I (19.08.2021) 3P 5C