



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.08.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.11635 of 2021

1.Tamilselvam
2.Vellaiyan @ Velu @ Vellaiyan Poosari
3.Manimuthu
4.Selvarasu

... Petitioners/Accused 1 to 4

Vs.

State Rep by
The Inspector of Police,
Thanjavur South Police Station,
Thanjavur District.
Crime No.1221 of 2021.

... Respondent/Complainant

For Petitioners : Mr.R.Balakrishnan,
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.1221 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 341, 294(b) and 506(2) of IPC in Crime No.1221 of 2021, seek anticipatory bail.

2. The case of the prosecution is that on 26.07.2021, in a meeting conducted by the Joint Commissioner, HR & CE, Thanjavur, with regard to a Temple Festival, the petitioners and the defacto



complainant participated. In the said meeting, since the enquiry was about to be concluded in favour of the defacto complainant, the petitioners abused the defacto complainant in filthy language and threatened to kill him. Hence, the complaint.

3. The learned counsel for the petitioners submitted that no one has been injured in this case.

4. The learned Government Advocate (Criminal Side), on instructions, would submit that in this case, the first petitioner/A1 is having one previous case.

5. Considering the nature of allegation as against the petitioners and the fact that no one has been injured, this Court is inclined to grant Anticipatory Bail to the petitioners. Accordingly, this petition is allowed.

6. 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.1, Thanjavur, 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 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 first petitioner shall report before the respondent Police daily at 10.30 a.m. and 5.00 p.m., until further orders. The petitioner Nos.2 to 4 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



[g]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
19/08/2021

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/ /2021

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

mbi

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 NO.I
THANJAVUR
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE
THANJAVUR SOUTH POLICE STATION,
THANJAVUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.BALAKRISHNAN.R, Advocate, SR.No.26828 (F) dated 19/08/2021

ORDER
IN
CRL OP(MD) No.11635 of 2021
Date :19/08/2021

PKP/PN/SAR-2/27.08.2021/3P/6C