



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

Date : 26.08.2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD) No.12039 of 2021

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

... Petitioners /
Accused 1 to 10

Vs

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

... Respondent/Complainant

For Petitioners: M/s.D.Rameshkumar, Advocate

For Respondent : M/s..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.454 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 147, 148, 448, 324, 506(ii) & 427 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 petitioners have assaulted the defacto complainant and their family members. Hence, the complaint.

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3.Learned Counsel for the petitioners submitted that this Court has already considered the case of the petitioners and granted anticipatory bail to them, vide order dated 23.07.2021, made in CrI.OP(MD)No.9874 of 2021, with certain conditions. But, the petitioners could not arrange sureties due to the covid-19 pandemic and therefore, they have moved this second anticipatory bail application. He further submitted that it is a case in counter and the entire family members have been roped-in as accused and therefore, sought for grant of anticipatory bail.

4.The learned Government Advocate (CrI.side) appearing for the respondent police admitted that the petitioners have already been granted anticipatory bail by this Court, in CrI.OP(MD)No.9874 of 2021, dated 23.07.2021 and further submitted that they have not complied with the conditions stipulated therein.

5.Considering the nature of allegation levelled against the petitioners, the fact that they have already been granted anticipatory bail by this Court and their failure to comply with the conditions stipulated therein, this Court is inclined to grant anticipatory bail to the petitioners.

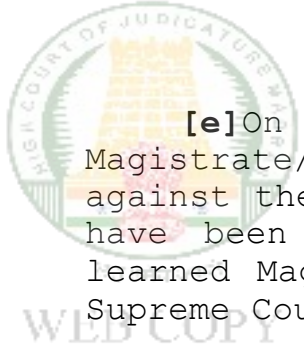
6.Accordingly, this criminal original petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukottai, Thanjavur 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 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 the S.S.Colony Police Station, Madurai, daily at 10.30 am., 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/-
26/08/2021

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
PATTUKKOTTAI, THANJAVUR DISTRICT.
2. -DO- THRO THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR AT KUMBAKONAM.
3. THE SUB INSPECTOR OF POLICE,
VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI.

ORDER
IN
CRL OP(MD) No.12039 of 2021
Date :26/08/2021