



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.12341 of 2021

1. M.Krishnan

2. T.Thirumurugan

3. T.Suganya ... Petitioners/Accused No.2 to 4

Vs

The State represented by
The Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.

Crime No.289 of 2021 ... Respondent/Complainant

For Petitioner : Mr.P.BALAMURUGAN,
Advocate.

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

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

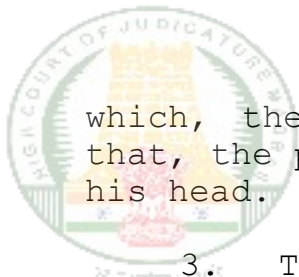
PRAYER :-

For Anticipatory Bail in Crime No. 289 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 to A4, who apprehend at the hands of the respondent Police, for the offence punishable under Sections 341, 294(b), 323, 324 and 506(ii) IPC, in Crime No. 289 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's son got married with one Ramalakshmi before 12 years. Due to some misunderstanding, they got separated. On 12.08.2021, when the defacto complainant's son went to take bath at Oorani, the petitioners came there, abused his wife in filthy language, due to



which, there was a wordy quarrel between them and consequent to that, the petitioners attacked him with a log and caused injuries on his head.

3. The learned counsel for the petitioners submits that the petitioners are innocents, they have not committed any offence and they have been unnecessarily roped-in in this case. He further submitted that the co-accused was released on bail by the lower Court.

4. The learned Government Advocate (Crl. Side) submits that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and the nature of allegations levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioners.

6. The petitioners are directed 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, Muthukulathur, 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 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 appear before the respondent Police daily at 10.30 a.m. 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 are 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/-

07/09/2021

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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.

TO

- 1 THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR, RAMANATHAPURAM DISTRICT.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 3 THE INSPECTOR OF POLICE
MUTHUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.AYANAR.M Advocate SR.No.28772

ORDER
IN
CRL OP(MD) No.12341 of 2021
Date :07/09/2021

OGY

SS/JM/SAR-IV/17.09.2021 : 3P/6C