



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

Date : 23/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.13979 of 2021

1. Sanmugapandi
2. Thangamani ... Petitioners/1st and 2nd Accused
3. Arjunan
4. Muthusamy
5. Veerakumar ... Petitioners/ Accused Rank not known

Vs

The State represented by
The Inspector of Police,
Mallanginar Police Station,
Virudhunagar District.
(Crime No. 111 of 2021). ... Respondent/Complainant

For Petitioner : Mr.S.Poornachandran,
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory bail in Crime No. 111 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, 341, 294(b), 324, 506(ii) of IPC in Crime No.111 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 10.09.2021, the defacto complainant went to watch cricket Tournament at Ayanreddipatti, Mallanginar, Virudhunagar District. The second petitioner was standing as an Umpire in the cricket match and he acted in a biased manner that was questioned by the defacto complainant, for which, the accused assaulted the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the prosecution, they have been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the the investigation is yet to be completed. He further submitted that the second petitioner/A2 is having one previous case.

5.Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioners, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Viruthunagar, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioner Nos.1, 3 to 5 shall report before the respondent police daily at 10.30 a.m., untill further orders and the second petitioner shall report before the respondent police daily at 10.30 a.m., and 05.30 p.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
<https://hccservicescourts.gov.in/hccservices/> 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]***; and;

(f) if the accused/ petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

23/09/2021

/ 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.

TO

- 1 THE JUDICIAL MAGISTRATE,
VIRUDHUNAGAR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
MALLANGINAR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.13979 of 2021

Date : 23/09/2021

SS/JM/SAR-IV/28.09.2021 : 3P/5C