



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

Date : 28/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14314 of 2021

1. Praveen,

2. Chendurkani, ... Petitioners/Accused Nos.1 & 2

Vs

STATE REP BY

The Sub Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.

(Crime No.110 of 2021). ... Respondent/Complainant

For Petitioner : M/s. Raamakrishnan.K.A,
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.110 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, 447, 427, 294(b), 323, 324 and 506(2) IPC in Crime No.110 of
2021, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the
petitioners assaulted the defacto complainant. Therefore, the
present case came to be registered.

4.The learned counsel for the petitioner submitted that the
petitioners are innocent and they have been falsely implicated in
<https://hcservices.hcma.gov.in/hcservices/>



this case. He further submitted that it is a case in counter.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the investigation is yet to be completed.

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5.Considering the facts and circumstances of the case, the nature of allegations against the petitioners and also the fact that it is a case in counter, 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 Court, Sathankulam, Thoothukudi District, 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 petitioners shall report 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 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/-
28/09/2021

/ TRUE COPY /

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



ssb

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,
Sathankulam, Thoothukudi District.
2. Do Through The Chief Judicial Magistrate,
Thoothukudi.
3. The Sub Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.14314 of 2021
Date : 28/09/2021

TR/JC/SAR-IV(01.10.2021) 3P 5C