



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.15615 of 2021

1. Sigamani
2. Pandiyammal
3. Ramanathan

... Petitioners/Accused
No.3,4 & 7

Vs

State rep.by
The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram Distdriect.
(Crime No.687 of 2021).

... Respondent/Complainant

For Petitioners : M/s.Uthayakuamar.A, 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.687 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, 294(b), 506(ii) IPC r/w 3(1) of Prevention of Damage to Public Property Act, 1984, in Crime No.687 of 2021, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners trespassed into the house of the defacto complainant, damaged berow which is worth about Rs.8,000/- and threatened him with deadly weapons. Therefore, the present case came to be registered.



3.The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. However, to show their bonafide, the petitioners have come forward to pay a sum of Rs.3,000/- each to the credit of Crime No.687 of 2021.

WEB COPY

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the investigation is yet to be completed and there is no previous case pending against the petitioners.

5.Considering the facts and circumstances of the case, the nature of allegations against the petitioners and their willingness to pay a sum of Rs.3,000/- each to the credit of Crime No.687 of 2021, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall pay a sum of Rs.3,000/- (Rupees Three Thousand only) each to the credit of Crime No.687 of 2021 before the learned Judicial Magistrate, Kamuthi, Ramanathapuram District. On such deposit, 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, Kamuthi, Ramanathapuram 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**



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

WEB COPY

Sd/-
20/10/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.II)
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,
KAMUTHI, RAMANATHAPURAM DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.15615 of 2021
Date : 20/10/2021

SP/CN/SAR II/26/10/2021/3P/5C