



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.15987 of 2021

1.J.Maadathi @ Madathi
2.Balakrishnan

... Petitioners/Accused No. 7 and 4

Vs

State represented by
The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.
Crime No.425/2021.

.. Respondent/Complainant

For Petitioner : Mr.M.Saravanan, Advocate
For Respondent : Mr.Muthu Manickam,
Additional Public Prosecutor

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

PRAYER :-

For the Anticipatory Bail in Cr.No.425 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 332, 323, 324, 355 and 506(ii) of I.P.C., in Crime No.425 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of prosecution is that when the de-facto complainant was present in the RDO Office, the accused said to have abused and assaulted the de-facto complainant with a wooden log and thereby, prevented him from discharging his duties and issued life threat. Hence, the complaint.

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



4.The learned Additional Public Prosecutor appearing for the respondent police, on instructions, would submit that no previous case is pending against the petitioners.

5.Taking into consideration the facts and circumstances of the case, except Section 506(ii) I.P.C, all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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-I, Usilampatti, 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 respondent police daily at 10.30 am., for a period of 30 days and thereafter, as and when required for interrogation;

(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 absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-
12/10/2021

/ 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-I, USILAMPATTI.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 3. THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
USILAMPATTI, MADURAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.M.SARAVANAN, Advocate (SR-7221[I] dated 13/10/2021)

ORDER

IN

CRL OP (MD) No.15987 of 2021

Date : 12/10/2021

VB/SKN/SAR-IV/21.10.2021/3P/6C