



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

Date : 25/10/2021

PRESENT

WEB COPY

**The Hon`ble Mr.Justice B.PUGALENDHI**  
**CRL OP(MD) . No.16091 of 2021**

1. Jayaseelan @ Thavaseelan,

2. Murugesan ... Petitioners/Accused 1 & 2

Vs

The state represented by  
The Inspector of Police,  
Thiruvonam Police Station,  
Thanjavur District.

(Crime No.534 of 2021). ... Respondent/Complainant

For Petitioners : M/s.Dilipanpandian.R.L,  
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.534 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 offence punishable under Sections  
294(b), 323, 324, 354 and 506(ii), r/w Section 4 of TNPHW Act, in  
Crime No.534 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that due to Civil dispute,  
the petitioners abused the defacto complainant in filthy language  
and also attacked him with woodenlog. Therefore, the present case  
came to be registered.

3.The learned counsel for the petitioners submitted that the  
petitioners are innocent persons and they have been falsely  
implicated in this case. Hence, he prayed for grant of anticipatory  
bail to the petitioner.



4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the injured person has been discharged from the hospital.

5.Considering the facts and circumstances of the case and also the fact that the injured person has been discharged from the hospital, 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 on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Orathanadu, Thanjavur 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 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 report before 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 petitioner 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/-

25/10/2021

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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,  
ORATHANADU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE  
THIRUVONAM POLICE STATION,  
THANJAVUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.16091 of 2021

Date :25/10/2021

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SA/PN/SAR-I/02.11.2021 : 3P/5C