



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

Date : 12/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.17519 of 2021

WEB COPY

1.Balasankar
2.Kaniselvam
3.Aravind @ Aravinda Prakash
4.Navin @ Navin Kumar
5.Mezhiselvam ... Petitioners/Accused No.13,16,17,19 & 22

Vs

State Rep.by
The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
Cr.No.147 of 2021. ... Respondent/Complainant

For Petitioners: Mr.S.Muniyandi,
Advocate.
For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor.

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

PRAYER :-

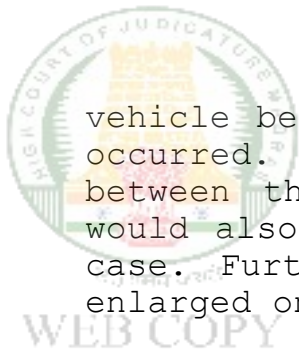
For Anticipatory Bail in Crime No.147 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 143, 294(b), 332, 505(i)(b) 353, 506(i) IPC, in Crime No. 147 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and others tried to go Pasumpon and tried to garland their leader and not obeyed the pandemic rules issued by the Tamil Nadu Government and created problem. When the same was informed by the defacto complainant, the petitioners abused in filthy language and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that they have attended the Devar Jeyanthi Vizha and while travelling through



vehicle bearing Registration No.TN 27 Q 8334 an accident was occurred. Subsequent to the accident, there arose wordy quarrel between the defacto complainant and the petitioners/ accused. He would also submit that the petitioners are not having any previous case. Further more, he would submit that co-accused were already enlarged on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit the petitioners have violated the Pandemic Rules issued by the Tamil Nadu Government and they created problem.

5.Considering the facts that no one was injured in the incident, that except the offence under Sections 506(i), 353 and 332 IPC, all other offences are bailable in nature and that the petitioners are not having any previous case for similar or serious offence as stated by the learned Additional Public Prosecutor and also the fact that co-accused were already enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, 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, 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall stay at Madurai and report before the Thallakulam Police Station daily at 06.30 pm for a period of one month and thereafter, as and when required for interrogation.

(c)the petitioners shall not tamper with 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 petitioner 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



5560J; and;

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

sd/-
12/11/2021

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/ /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, Kamuthi.
 - 2.Do Through The Chief Judicial Magistrate,
Ramanathapuram.
 - 3.The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1. CC to M/S.MUNIYANDI S Advocate SR.No.8019

Copy to:

The Inspector of Police,
Thallakulam Police Station,
Madurai.

ORDER
IN
CRL OP(MD) No.17519 of 2021
Date :12/11/2021

RS/JC/SAR3 (22.11.2021) 3P 7C

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