



**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.17557 of 2021**

WEB COPY

1. Karthick
2. Nallusamy
3. Pindhu Krishnan
4. Sabari Rahul
5. Suriya Prakash
6. Ajithkumar
7. Vijay Prakash
8. Chandru

... Petitioners/Accused Nos.1 to 7 & 9

Vs

The State Rep.by
The Inspector of Police,
Manapparai Police Station, Manapparai,
Trichy District.
(Cr.No. 1063 of 2021)

... Respondent/Complainant

For Petitioners: Mr.A.Shajahanraj,
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor.

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

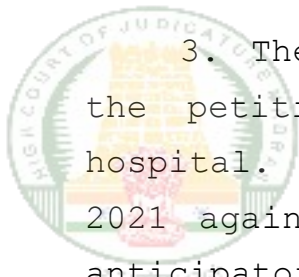
PRAYER :-

For Anticipatory Bail in Crime No.1063 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 offences punishable under Sections 143, 294(b), 323 and 506(ii) I.P.C., in Cr.No.1063 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 04.11.2021, the accused persons had abused and assaulted one Kumaraguru, who is the son of defacto complainant's brother and on hearing the sound, the defacto complainant has interfered and stopped. Hence, the present complaint.



3. The learned counsel for the petitioners would submit that the petitioners are innocent. Injured was discharged from the hospital. A counter case has been registered in Crime No.1062 of 2021 against the de-facto complainant and party. Hence, he seeks anticipatory bail to the petitioners.

WEB COURT

4. The learned Additional Public Prosecutor would submit that there is a property dispute between the parties and the injured was discharged from the hospital and that it is a case and counter case and the counter case has been registered in Crime No.1062 of 2021 as against the de-facto complainant party.

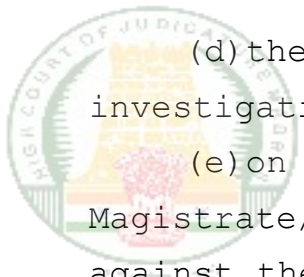
5. Considering the facts that there was previous enmity between the parties, that the injured was already discharged from the hospital, that the counter case in crime No.1062 of 2021 is pending against the de-facto complainant and party and that the petitioners are not having any previous cases for similar or serious offence, this Court is inclined to grant bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their 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, Manapparai, Trichy 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 report before the respondent police daily at 10.30a.m., for 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 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 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.

TO

1. THE JUDICIAL MAGISTRATE,
MANAPPARAI, TRICHY DISTRICT.
 2. DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY
DISTRICT.
 3. THE INSPECTOR OF POLICE,
MANAPPARAI POLICE STATION, MANAPPARAI,
TRICHY DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.SHAJAHANRAJ A Advocate (SR.No.8024)

ORDER
IN
CRL OP(MD) No.17557 of 2021
Date :12/11/2021

MGJ/JM/SAR IV(19.11.2021) 3P 6C