



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.18359 of 2021

WEB COPY

1. P.Ramachandran
2. R.Ramamoorthy
3. P.Ravichandran

... Petitioners/ (*) **Accused No.2 to 4**

Vs

The State rep.by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai, Sivagangai District.
Cr.No. 663 of 2021.

... Respondent/Complainant

For Petitioners: M/s.JEGANATHAN.C,
Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.663 of 2021 on the file of the Respondent Police.

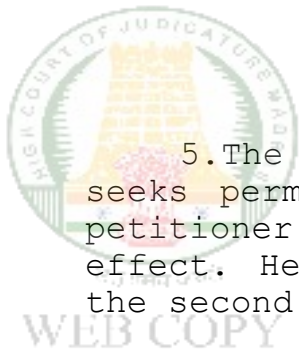
ORDER : The Court made the following order :-

The petitioners/ (*) **Accused No.2 to 4**, who apprehend arrest at the hands of the respondent police for the offences punishable under Section (*) **147, 148, 294(b), 324, 307, 427, 506 (ii) and 109 IPC and under Section 4 of TN Prohibition Harassment of Women Act, 2002**, in Crime No.663 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive between the parties, the petitioners and the other accused abused and attacked the defacto complainant and other victims. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the injured was discharged from the hospital and no previous case is pending against the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that no previous case is pending against the petitioners and the injured was discharged from the hospital.



5.The learned counsel for the petitioners would submit that he seeks permission to withdraw this petition insofar as the second petitioner is concerned and he has also made an endorsement to that effect. Hence, this petition is dismissed as withdrawn insofar as the second petitioner is concerned.

6.Considering the facts and circumstances of the case and considering the facts that the injured was discharged from the hospital, that except the offence under Section 506(ii) IPC, all other offences are bailable in nature and that the petitioners 1 & 3 are not having any previous case for similar or serious offence as stated by the Additional Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioners 1 & 3 with certain conditions.

7. Accordingly, the petitioners 1 & 3 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 No.I, Sivagangai, Sivagangai District, on condition that the petitioners 1 & 3 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 1 & 3 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 1 & 3 shall report before the respondent police daily at 10.30 a.m for a period of 30 days and thereafter, as and when required for interrogation.

(c)the petitioners 1 & 3 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 1 & 3 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 1 & 3 in accordance with law as if the conditions have been imposed and the petitioners 1 & 3 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/-
29/11/2021

**(*)Amended as per order of
this Court dated 29/11/2021
in Crl.MP(MD)No.10402/2021 in
Crl.OP(MD)No.18359/2021**

/ 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 NO.I
SIVAGANGAI, SIVAGANGAI DISTRICT.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.18359 of 2021
Date :29/11/2021

SA/PN/SAR.4/06.12.2021/3P/5C