



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/11/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.18828 of 2021

1. Velmurugan
2. Rajkumar
3. Priya
4. Alex @ Alex pandian
5. Krishnan @ Ramakrishnan
6. Muthupandi
7. Vishal ... Petitioners/Accused No.1,3,5,6,7,11 and 12

Vs

The State represented by
The Sub Inspector of Police,
Natham Police Station,
Dindigul District.
(Cr.No. 914 of 2021). ... Respondent/Complainant

For Petitioners : M/s.Sivalingam.K,
Advocate.
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 914 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1,3,5,6,7,11 and 12 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147,148,341,294(b),323,324,354 and 506(ii) of IPC in Crime No.914 of 2021 on the file of the respondent police, seek anticipatory bail.



2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused said to have abused the defacto complainant, assaulted him and also threatened with dire consequences. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would also submit that a counter case has been registered in Crime No.915 of 2021.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the injured is absconding and a case has also been registered against him.

5.Considering the fact that it is a case and case in counter and also the fact that except the offence under Sections 354 and 506 (ii) IPC, all other offences are bailable in nature, 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, Natham, 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 the respondent police daily at 10.30 a.m. for a period of one month 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/-

30/11/2021

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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,
NATHAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
NATHAM POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SIVALINGAM K Advocate SR.No.8663

ORDER

IN

CRL OP(MD) No.18828 of 2021

Date :30/11/2021

AAV

SS/JC/SAR-II/06.12.2021 : 3P/6C