



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.12.2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD) . No.21106 of 2021

1.M.Thuyavan
2.K.Arunkumar

... Petitioners/Accused No.1 & 2

Vs.

State rep.by
The Inspector of Police,
Keeranur Police Station,
Dindigul District.
(Crime NO.407/2021)

... Respondent/Complainant

For Petitioners: M/s.C.Gangai Amaran

For Respondent : M/s.K.Sanjai Gandhi,
Government Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.407 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506 (i) of IPC in Crime No.407 of 2021 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2.The case of the prosecution is that on 19.12.2021, at about 04.00 pm, due to a pathway dispute, there was a wordy quarrel between the parties which resulted in physical attack. Hence, the complaint.

3.The learned counsel for the petitioners would submit that this a case in counter and no previous case is pending against the petitioners.



4. The learned Government Advocate, on instructions, would submit that no previous case is pending against the petitioners and the injured has been discharged from the Hospital.

5. Considering the facts that no previous case is pending against the petitioners, the injured has been discharged from the Hospital and that except the offence under Section 506(i) of 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 two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate, Palani, Dindigul District, and on them executing a bond for a sum of Rs.10,000/- (Rupees Ten 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 Magistrate may obtain a copy of their Aadhaar cards or bank pass books to ensure their identity.

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of thirty days 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.

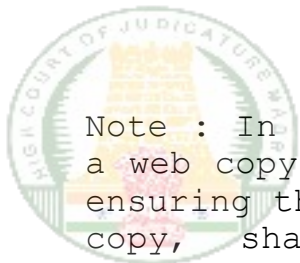
(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

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

Sd/-
29/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.IV)
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.

WEB COPY

TO

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

ORDER

IN

CRL OP (MD) No.21106 of 2021

Date :29/12/2021

SP/PN/SAR IV/03/01/2022/3P/5C