



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.02.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD). No.938 of 2022

1.Loganathan	- A1
2.Dhanalakshmi	-A2
3.Rajasekar	-A3
4.Tamil Selvan	-A4
5.Ponmudi	-A5
6.Thenmoli	-A6
7.Saravanan @ Saravana Kumar	-A7
8.Arun Pandiyan @ Arun	-A8
9.Saravanan -A9	...

Petitioners/Accused Nos.1 to 9

Vs

State represented through
The Inspector of Police,
Siruganur Police Station,
Siruganur, Trichy District.
(Crime No.661 of 2021) ...Respondent/Complainant

For Petitioner : MR.K.Arun Raj
for T.Vadivelan
Advocate.

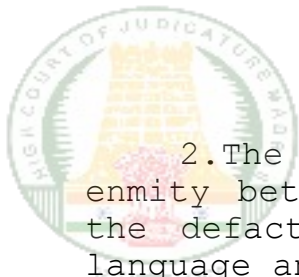
For Respondent : Mr.M.Muthumanikkam
Government Advocate (Crl side)

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

PRAYER :-For Anticipatory Bail in Crime No.661 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 9, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 147, 148, 294(b), 324, 427, 379 and 506(i) of IPC in Crime No.661 of 2021 on the file of the respondent police, seek anticipatory bail.



2.The case of the prosecution is that there existed a previous enmity between the parties and the accused persons have attacked the defacto complainant with wooden log, abused her with filthy language and threatened her. Hence the complaint.

3.When the matter was taken up on 18.02.2022, the learned counsel for the defacto complainant would submit that the petitioners may be directed to file an affidavit that they will not disturb or interfere with the defacto complainant and her family members. In pursuance of the same, the petitioners have filed an affidavit and wherein they have stated that they will not disturb the defacto complainant and her family members.

4.The learned Additional Public Prosecutor would submit that injured in this case has been discharged from the hospital and a counter case in Crime No.668 of 2021 has been registered against the defacto complainant party.

5.Considering the fact that injured has been discharged from the hospital and also the facts that except Sections 506(i) and 379 of IPC, all other offences are bailable in nature and that a case in counter in Crime No.668 of 2021 is pending against the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with a condition to deposit a sum of Rs.200/- (Rupees Two hundred only) each to the Madurai Bench of Madras High Court Advocates Welfare Fund [Indian Bank High Court Branch, Madurai, Current Account No.7087208431, IFSC IDIBI000H040], within a period of two weeks from the date of receipt of a copy of this order.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Lalgudi.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners Nos.1,3,4,5,7,8 and 9 shall report before the respondent police daily at 10.30 a.m., until further orders; and the petitioners Nos.2 and 6 shall appear before the respondent police as and when required for interrogation.

(iii)the petitioners shall not tamper with evidence or witness;

(iv)the petitioners shall not abscond during trial;

(v)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 Supreme



(vi) If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/02/2022

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/ /2022

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

COPY TO:
THE OFFICER INCHARGE,
ADVOCATES WELFARE FUND
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.T.VADIVELAN Advocate SR.No.1476

ORDER
IN
CRL OP(MD) No.938 of 2022
Date :23/02/2022

pnn
MK/VR/SAR.I/03.03.2022/3P/7C