



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14.02.2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3072 of 2022

1.Logeshwaran

2.Karthikeyan

... Petitioners/A1 & A2

Vs.

State rep.by
The Inspector of Police,
Musiri Police Station,
Trichy District.
Cr.No.27 of 2022.

... Respondent/Complainant

For Petitioners : Mr.Arunraj.K,
Advocate.

For Respondent : Mr.R.Sivakumar,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.27 of 2022 on the file of the Respondent police.

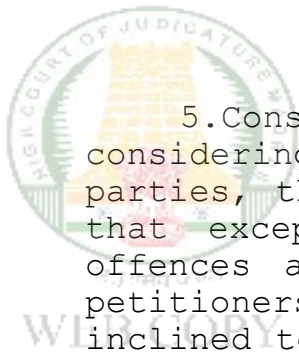
ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 427 and 506(ii) IPC in Crime No.27 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the parties, due to which, the petitioners abused the defacto complainant in filthy language, attacked him and also caused injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that due to previous motive, the petitioners abused the defacto complainant in filthy language and also damaged his TATA ACE car. He would further submit that the injured was discharged from the hospital.



5.Considering the facts and circumstances of the case and considering the facts that there arose wordy quarrel between the parties, that the injured was already discharged from the hospital, that except the offence under Section 506(ii) IPC, all other offences are bailable in nature and also the fact that the petitioners are not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners shall pay a sum of Rs.2,500/- (Rupees Two Thousand Five Hundred only) each to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate, Musiri.

7.On production of such receipt/acknowledgment, 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, Musiri, 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 am 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;

(e)the petitioners shall not abscond either during investigation or trial;

(f)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 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;



(g)if the accused / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

14/02/2022

/ TRUE COPY /

/ /2022

WEB COPY

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

das

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

COPY TO:

THE OFFICER INCHARGE,
GOVERNMENT OF TAMIL NADU,
CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT,
CHENNAI 09.

ORDER

IN

CRL OP(MD) No.3072 of 2022

Date :14/02/2022

SS/PN/SAR-IV/21.02.2022 : 3P/6C