



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 03/03/2022

PRESENT

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

CRL OP(MD). No.4188 of 2022

1. Balamurugan  
2. Ranjith @ Ranjithkumar ... Petitioners/Accused No.1 & 2

Vs

State Rep.by  
The Inspector of Police,  
Parthibanoor Police Station,  
Ramanathapuram District.  
(Cr.No.33/2022) ... Respondent/Complainant

For Petitioners: M/s.Sathish Kumar K,  
Advocate.

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

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

PRAYER :- For Anticipatory bail in Crime No.33 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.33 of 2022, seek anticipatory bail.

2.The case of the prosecution is that on 20.02.2022, when the de-facto complainant along with A3 and one Sathish were drinking alcohol in the backside of Kannan petrol bunk, A1 and A2 along with some unknown persons came there with stick and iron rod and attacked the de-facto complainant. When the same was questioned by the said Sathish, A1 attacked him with iron rod, A3 kicked the said Sathish and all the accused attacked him and also threw him at karuvell trees and escaped from the scene of occurrence. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that A3 was already released on bail by the Sessions Court.



4.The learned Government Advocate(Crl.Side) would submit that the injured was discharged from the hospital and that the petitioners are having two previous cases.

5.Considering the nature of charges levelled against the petitioners and also the facts that the injured was discharged from the hospital, that A3 was already released on bail by the Sessions Court and that except the offence under Section 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 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, Paramakudi, Ramanathapuram District, 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 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 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 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 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 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 Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

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

sd/-

03/03/2022

/ TRUE COPY /

/ /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.

**WEB COPY**

TO

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-1694[I] dated 03/03/2022)

ORDER

IN

CRL OP(MD) No.4188 of 2022

Date :03/03/2022

SJI

MS/VR/SAR-4/11.03.2022/3P.6C