



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 23.02.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

**Crl.R.C. (MD)No.275 of 2020**

**and**

**Crl.M.P(MD)No.2302 of 2020**

WEB COPY

- 1.Dhamodharan
- 2.Elangovan
- 3.Sangapillai
- 4.Senthil
- 5.Kandasamy
- 6.Sarasu
- 7.Sundarammal
- 8.Packiam
- 9.Manoharan
- 10.Karthik
- 11.Vellaiammal

... Petitioners/Respondents/  
Petitioners/Accused Nos.  
1 to 9, A11 and A12

Vs.

- 1.The State,  
Rep. by the Sub Inspector of Police,  
Guziliamparai Police Station,  
Guziliamparai,  
Dindigul District.  
(Crime No.60 of 2019)

...Respondent/Respondent/  
Respondent/Complainant

- 2.Mariappan

...Respondent/Petitioner/  
Defacto Complainant

**Prayer:** This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to pass an order to revise the order of the learned Principal Sessions Judge, Dindigul, dated 20.02.2020, made in Crl.M.P.No.1551 of 2019 in cancelling the order of anticipatory bail, dated 24.06.2019 made in Crl.M.P.No.1373 of 2019 to the petitioners in connection with Crime No.60 of 2019 on the file of the Sub Inspector of Police, Guziliamparai Police Station, Guziliamparai, Dindigul District.



For Petitioners : Mr.S.Palani Velayutham

For R1 : Mr.K.Sanjai Gandhi  
Government Advocate (Criminal Side)

For R2 : Mr.G.Gomathi Sankar

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**ORDER**

The criminal revision case has been filed to revise the order of the learned Principal Sessions Judge, Dindigul, dated 20.02.2020, made in Crl.M.P.No.1551 of 2019, cancelling the order of anticipatory bail and order dated 24.06.2019 made in Crl.M.P.No.1373 of 2019 to the petitioners in connection with Crime No.60 of 2019, on the file of the Sub Inspector of Police, Guziliamparai Police Station, Guziliamparai, Dindigul District.

2.The petitioners who are apprehended arrest in pursuant to the crime No.60 of 2019, registered for the offences under Sections 143, 341, 294(b) and 506(1) of IPC, based on the complaint lodged by the second respondent herein. The first respondent registered the case as against the petitioners. In pursuant to the FIR, the petitioners approached this Court in anticipatory bail in Crl.O.P (MD)Nos.7954 and 7644 of 2019. When both the petitions are pending, the petitioners approached the District and Sessions Court in Crl.M.P.No.1373 of 2019 and the Court below granted the anticipatory bail to the petitioners by an order dated 24.06.2019. While the anticipatory bail petitions were pending before this Court, the petitioners have suppressed the facts and obtained anticipatory bail before the Principal District Court, Dindigul.

3.The second respondent filed application to cancel the anticipatory bail, which was granted to the petitioners. The Court below cancelled the anticipatory bail granted to the petitioners by an order dated 20.02.2020 in Cr.M.P.No.1551 of 2019, on the ground that the petitioners have suppressed the fact that the anticipatory bail petitions were pending before this Court and obtained anticipatory bail.

4.The crime has been registered in the year 2019, till today investigation is stand still for the reason that the petitioners never appeared before the first respondent. The allegations as against the petitioners are that they have a civil dispute between them.

5.Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail with certain conditions. In view of the same, the order passed by the learned Principal Sessions Judge, Dindigul, dated 20.02.2020, made in Crl.M.P.No.1551 of 2019, is set aside. Therefore, the criminal revision case is allowed. Consequently, the connected Miscellaneous Petition is also closed.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Principal District Court, Dindigul, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 am for a period of 15 days and thereafter, as and when required for interrogation.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr



**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 Principal District Judge, Dindigul.

2. The Judicial Magistrate, Vendasandur.

3.The Sub Inspector of Police,  
Guziliamparai Police Station,  
Guziliamparai,  
Dindigul District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.G.GOMATHISANKAR, Advocate ( SR-8232[F] dated 24/02/2022 )

CrI.R.C.(MD)No.275 of 2020  
23.02.2022

PK(CO)  
TR(24.02.2022) 4P 6C