



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

Date : 11/03/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.4706 of 2022

WEB COPY

1.Thamilarasi
2.Sindhu

: Petitioners/Accused 2 & 3

Vs.

State rep.by
The Inspector of Police,
Uppiliapuram Police Station,
Trichy District.
Cr.No.897/2020.

: Respondent/Complainant

For Petitioners : Mr.A.Mohan, Advocate
for Mr.Suresh Babu.A, Advocate
For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.897 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 341 IPC and 506(1) IPC, in Crime No.897 of 2020, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant has lodged a complaint against the petitioner's son Elango alleging that he had spread out the information of the individual medical report of his brother and the case was registered in Crime No.877 of 2020. Due to that motive, the said Elango and the petitioners stopped his car while he was returning to his home and threatened him with dire consequences. 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 the defacto complainant being an Advocate, has filed the above complaint alleged that the petitioners have propagated that the defacto complainant was affected by Corona.



4.The learned Government Advocate (Criminal Side) appearing for the State would submit that investigation is pending.

5.Considering the facts and circumstances of the case and considering the nature of the charges levelled against the petitioners and also the facts that no one was injured in the incident and that except the offence under Section 506(1) IPC, 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 on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur, 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 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]***; and;

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

sd/-

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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,
Thuraiyur.
 - 2.Do-Through The Chief Judicial Magistrate,
Trichy District.
 - 3.The Inspector of Police,
Uppiliapuram Police Station,
Trichy District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.4706 of 2022
Date :11/03/2022

RS/SVR/SAR.1(18.03.2022) 3P-5C