



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 19/04/2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.5677 of 2022

1. Ilavarasan  
2. Bhavani

... Petitioners/3<sup>rd</sup> & 4<sup>th</sup> Accused

Vs

The State rep.by,  
The Inspector of Police,  
Alanganallur Police Station,  
Madurai District.  
Crime No.129 of 2014.  
(as per memo filed by the  
petitioner's counsel)

... Respondent/Complainant

For Petitioners : Mr.S.Poornachandran,  
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.129 of 2014 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 147, 120B, 406, 420, 468, 471 and 506(1)IPC, in Crime No.129 of 2014, seek anticipatory bail.

2.The case of the prosecution is that there was a property dispute between the parties, due to which, the petitioners along with other accused persons abused the defacto complainant. 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.

<https://hccservices.mys.in/hccservices/>



4.The learned Government Advocate (Criminal Side) appearing for the respondent would submit that subsequently, the case was transferred to the Alanganallur Police Station and after completing the investigation, they are going to file charge sheet shortly.

5.Admittedly, the petitioners are husband and wife. Considering the nature of the charges levelled against the petitioners and also the fact that the other accused were already granted anticipatory bail, that the investigation is almost completed as stated by the learned Government Advocate (Criminal Side) and that the petitioners are not having any previous case, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Madurai, 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 first petitioner 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 second petitioner shall report before the respondent police as and when required for interrogation.

(d)the petitioners shall not tamper with 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 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;

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

sd/-

19/04/2022

/ 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.

TO

1 THE JUDICIAL MAGISTRATE NO.IV  
MADURAI

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE  
ALANGANALLUR POLICE STATION, MADURAI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.S.POORNACHANDRAN, Advocate (SR-3522[I] dated 19/04/2022)

ORDER

IN

CRL OP(MD) No.5677 of 2022

Date :19/04/2022

DAS

MK/VR/SAR.IV/26.04.2022/3P/6C