



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/04/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.7483 of 2022

1. Kirupananthavariyar

2. Vishnu Priya

Vs

... Petitioner/Accused No.1 and 2

The State represented by
The Inspector of Police,
Town North Police Station,
Dindigul District.
Crime No.191 of 2022..

... Respondent/Complainant

For Petitioners : M/s.Karuna.V,
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.191 of 2022 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), 324, 506(2) IPC , in Crime No. 191 of 2022, 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 and assaulted him. 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.

4.The learned Government Advocate (Criminal Side) appearing for
the State would submit that the injured was discharged from the



5.Considering the facts and circumstances of the case and considering the facts that there existed tenancy dispute between the parties and also the facts that the injured was discharged from the hospital and 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 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.II, Dindigul, 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/-

22/04/2022

/ 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. JUDICIAL MAGISTRATE NO.II
DINDIGUL

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

3. THE INSPECTOR OF POLICE
TOWN NORTH POLICE STATION, DINDIGUL DISTRICT.

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

ORDER
IN
CRL OP(MD) No.7483 of 2022
Date :22/04/2022

SS/SVR/SAR:IV/28.04.2022 : 3P/5C