



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

Date : 05/05/2022

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.8616 of 2022

1. Rajaram
2. Sudarsan

... Petitioners/Accused 3 & 4

Vs

State Rep.by
The Sub Inspector of Police,
Rayappanpatti Police Station,
Theni District.
(Crime No.80/2022)

... Respondent/Complainant

For Petitioners : M/s.C.Ramesh,
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory bail in Crime No.80/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 341, 294(b), 323, 324, 506(ii) 302 of IPC r/w 34 of IPC., in Crime No.80 of 2022, on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3.The overt act attributed against the petitioners in connection with the aforesaid crime, is that the petitioners herein had abused the deceased with filthy language. As per the overt act, the petitioners could, at the most, be implicated for the offences under Section 506 (i) of IPC and the major offences may not be attracted.

4.It is now brought to the notice of this Court that the other accused Nos.1, 2 & 5 have been released on regular bail.



5. In view of the limited overt act attributed in the major crime against the petitioners and taking into account the co-accused have been released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, 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 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 Aadhaar cards or bank pass books to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with the 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]**.

sd/-
05/05/2022

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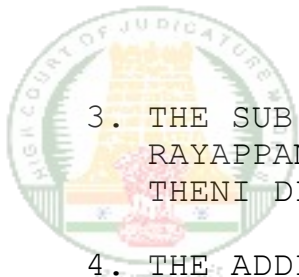
/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



3. THE SUB INSPECTOR OF POLICE,
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8616 of 2022

Date :05/05/2022

MYR/SM

MS/SVR/SAR-4/09.05.2022/3P.5C