



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.8633 of 2022

1. Kathiresan,

2. Ganapathy,

3. Shankar,

4. Rajapandi,

Vs

... Petitioners/Accused Nos. 2 to 5

The State Rep by
The Inspector of Police,
Vadipatty Police Station,
Madurai District.
(Cr.No.139/22).

... Respondent/Complainant

For Petitioners : Mr.M.Pitchai Muthu,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. 139/22 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / accused Nos.2 to 5, apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.139 of 2022, on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the investigation is in progress.



4.The overt act attributed against the petitioners herein is that they had scolded the defacto complainant with filthy words.

5.Taking into account the nature of the overt act attributed against the petitioners and the offence for which the petitioners have been implicated is not a major offence, 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, Vadipatti, Madurai District, 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 card or bank pass book 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]**.

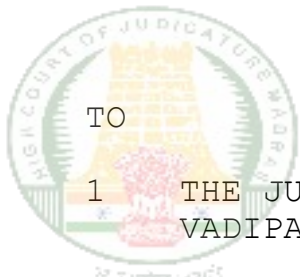
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
VADIPATTY POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8633 of 2022

Date :05/05/2022

MYR / SM

PKP/VR/SAR-2/09.05.2022/3P/5C