



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.8752 of 2022

1. Muthuraja
2. Rajkumar
3. Ragaventhiran
4. Krishnamoorthi

... Petitioners/Accused
No.1 to 4

Vs

State rep.by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No.103/2022).

... Respondent/Complainant

For Petitioners : M/s.Kalimuthu P, 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.103/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / accused Nos.1 to 4, apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 324 and 506(ii) of I.P.C., in Crime No.103 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 first accused has already been arrested and remanded in judicial custody and 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.Since the first petitioner / first accused has already been arrested and is in judicial custody, this anticipatory bail petition is dismissed as against the first petitioner / first accused only.

6.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 only to the petitioners 2 to 4 with certain conditions.

7.Accordingly, the petitioners 2 to 4 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 No.II, Sivagangai, on condition that the petitioners 2 to 4 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 2 to 4 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 2 to 4 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 2 to 4 shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners 2 to 4 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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE NO.II,
SIVAGANGAI.

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

3. THE INSPECTOR OF POLICE,
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.KALIMUTHU P Advocate SR.No.4447

ORDER
IN
CRL OP (MD) No.8752 of 2022
Date :05/05/2022

SP/JM/SAR IV/10/05/2022/3P/6C