



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

Date : 19/05/2022

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PRESENT

The Hon`ble **Mrs.Justice T.V.THAMILSELVI**

CRL OP(MD) . No.8793 of 2022

1. Kuppan,
2. Thangaraj,
3. Rengaraj,
4. Vellaisamy,
5. Mookkaiah, ... Petitioners/Accused Nos.1 to 5

Vs

State Rep by
The Inspector of Police,
Annavasal Police Station,
Pudukkottai District,
Crime No.111/2021. ... Respondent/Complainant

For Petitioner : M/s.Ganapathi Subramanian P,
Advocate.
For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.111 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 294(b), 323, 355, 354 and 506(ii) IPC, in Crime No.111 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant and the



petitioners abused the defacto complainant in a filthy language. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons 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 investigation is almost completed. He further would submit that the first petitioner was arrested and released on bail.

5.As per the submission of the learned Government Advocate (crl.side) that the first petitioner was arrested and released on bail, the petition is dismissed against the first petitioner.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 2 to 5 with certain conditions.

7.Accordingly, the petitioners 2 to 5 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 District Munsif cum Judicial Magistrate, Illupur, 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 2 to 5 and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioners 2 to 5 shall report before the respondent police **once in a week (ie., on every Wednesday at 10.30 a.m.,** for a period of six weeks, and thereafter, as and when required for interrogation.

(c)the petitioners 2 to 5 shall not tamper with the evidence or witness either during investigation or trial;

(d)the petitioners 2 to 5 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 5 in accordance with law as if the conditions have been imposed and the petitioners 2 to 5 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;

(f) if the accused / petitioners 2 to 5 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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

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TO

1. The District Munsif cum Judicial Magistrate,
Illupur.
2. Do Through The Chief Judicial Magistrate,
Pudukkottai.
3. The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.8793 of 2022
Date : 19/05/2022

TR/VR/SAR-IV(23.05.2022) 3P 5C