



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.05.2022

WEB COPY

PRESENT

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

CRL OP(MD) . No.9149 of 2022

1.S.Manikandan
2.M.Rajakumaran

... Petitioners/Accused Nos.1 & 2

Vs

THE STATE REP BY,
The Sub-Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(Crime No.123/2022)

... Respondent/Complainant

For Petitioners : Mr.D.Shanmugaraja Sethupathi
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.123 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 294(b), 323, 427 and 506(i) of IPC in Crime No.123 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 07.05.2022, when the defacto complainant was driving a car, the first petitioner, who was riding the motorcycle, dashed against the car and fell down. In the impact, the first petitioner abused, threatened and attacked the defact complainant along with his friends. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Hence, he prayed for anticipatory bail to the petitioners.



4.The learned Additional Public Prosecutor appearing for the respondent police would state that in this case, no one has sustained injury.

5.Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury in this case, 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 Judicial Magistrate, Karaikudi, 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 Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before respondent police on every Saturday at 10.30 a.m until further orders.

[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/-
18/05/2022

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE,
KARAIKUDI.

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

3 THE SUB-INSPECTOR OF POLICE
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-4747[I] dated
19/05/2022)

ORDER

IN

CRL OP(MD) No.9149 of 2022

Date :18/05/2022

PKP/VR/SAR-1/23.05.2022/3P/6C