



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

Date : 18.05.2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.9201 of 2022

1.Ramasamy
2.Muthusamy
3.Navaneethan

... Petitioners/Accused Nos.1 to 3

Vs

The State rep. by
The Inspector of Police,
Seithur Police Station,
Virudhunagar District.
(Crime No.89 of 2022)

... Respondent/Complainant

For Petitioners : Mr.S.Muniyandi, 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.89 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 3 who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 427 and 506(i) of IPC in Crime No.89 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 06.05.2022, the petitioners removed the tamarind tree from the defacto complainant's agricultural field. When the defacto complainant questioned the same, the petitioners scolded the filthy language and attacked him. 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 grant of anticipatory bail to the petitioners.



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

5.Taking note of the facts and circumstances of the case and also taking note of the fact that the petitioners removed a tamarind tree, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) each before the Judicial Magistrate, Rajapalayam to the credit of the said crime number.

7.On such deposit, 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, Rajapalayam, 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 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,
RAJAPALAYAM.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUB INSPECTOR OF POLICE
SEITHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9201 of 2022

Date :18/05/2022

skn

PKP/VR/SAR-1/23.05.2022/3P/5C