



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/05/2022

WEB COPY

PRESENT

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

CRL OP(MD) . No.9618 of 2022

1.S.Perumal
2.V.Velmurugan
3.R.Anandth

... Petitioners/Accused No.1,2 & 4

Vs

The State of Tamil Nadu rep.by its
The Inspector of Police,
Keela Paralachi Police Station,
Virudhunagar District.
Crime No.24 of 2022.

... Respondent/Complainant

For Petitioners : Mr.R.Srinivasan,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-For Anticipatory Bail in Crime No.24 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the offences punishable under sections 427 of IPC and 3(i) of Tamil Nadu Prevention of Damage to public property Act, 1984, in Crime No.24 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due previous enmity between the petitioners and the defacto complainant, the petitioners went to the defacto complainant's house and damaged the Asbestos sheet and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and not committed any offence as alleged

<https://hccservices.courts.mis/boservices>



4.The learned Additional Public Prosecutor appearing for the respondent would submit that investigation is still pending.

5.Considering the fact that there existed previous enmity between the parties and also considering the nature of the charges levelled against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, but with certain conditions.

6.Accordingly, the petitioners shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of Crime No.24 of 2022 on the file of the learned Judicial Magistrate, Arupukkottai, without prejudice to their rights and contentions.

7.On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on thier appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Arupukkottai, 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 Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 am for a period of two months and thereafter, as and when required for interrogation.

(c)the petitioners shall not tamper with 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/-

19/05/2022

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/ /2022

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE JUDICIAL MAGISTRATE,
ARUPUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
KEELA PARALACHI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to Mr.R.SRINIVASAN, Advocate (SR-4888[I] dated 20/05/2022)

ORDER

IN

CRL OP(MD) No.9618 of 2022

Date :19/05/2022

das

MK/VR/SAR.IV/23.05.2022/3P/6C