



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) . Nos.9322 and 9323 of 2022

Vijayapandi

... Petitioner/Accused No.2
in CrI.O.P.No.9322/2022

Vinoth

... Petitioner/Accused No.1
in CrI.O.P.No.9323/2022

Vs

The State Rep. by
The Inspector of Police,
Periyakulam Police Station,
Theni District.
(Crime No.117 of 2022)

... Respondent / Complainant
in both petitions

In both petitions:-

For Petitioners : Mr.Jeyakumar.B,
Advocate.

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

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

PRAYER :-

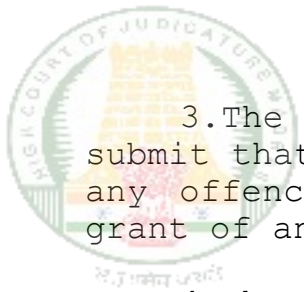
For Anticipatory Bail in Crime No.117 of 2022 on the file of the respondent police.

ORDER : The Court made the following common order :-

The petitioners/Accused Nos.1 & 2 who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 341, 294(b) and 506(1) IPC in Crime No.117 of 2022 on the file of the respondent police, seek anticipatory bail.

2.According to the prosecution, the defacto complainant is the Manager of Rathinam Bus Transport and the first accused is the owner of Senthupathi Transport. With regard to get the college students as passengers, a dispute arose. In view of the said dispute, on 08.05.2022, the first accused/owner and the second accused/conductor waylaid the defacto complainant's bus and abused their driver and conductor in filthy language and threatened with dire consequences. Hence, the complaint.

<https://hcservices.ecourts.gov.in/hcservices/>



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 due to the business motive, a quarrel arose.

5.Taking note of the facts and circumstances of the case and also taking note of the submission of the learned Additional Public Prosecutor, 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, Periyakulam, Theni District, 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 as and when required.

[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,
PERIYAKULAM, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE
PERIYAKULAM POLICE STATION, THENI DISTRICT.

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

+2. CC to M/S.JEYAKUMAR B Advocate SR.No.4861,4862

ORDER
IN
CRL OP (MD) Nos.9322
and 9323 of 2022
Date :18/05/2022

SS/VR/SAR:I/23.05.2022 : 3P/7C