



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.9466 of 2022

1. P.Ilayaraja

2. M.Nisanth

... Petitioners/Accused Nos.3 & 4

Vs

State rep.by

The Inspector of Police,
Ilayankudi Police Station,
Sivagangai District.
(Crime No.110 of 2022).

... Respondent/Complainant

For Petitioners : Mr.S.Malaikani, 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.110 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 379 of IPC altered into Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and Section 307 of IPC, in Crime No.110 of 2022, seek anticipatory bail.

2.The case of the prosecution is that while the defacto complainant returning to his village on his two wheeler, the petitioners along with the other accused waylaid the defacto complainant and attacked him. The accused persons asked the defacto complainant to call one Ajith to come there and he also came there. At that time, they attacked both of them and caused serious injuries to them. Therefore, the present case came to be registered.



3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the the investigation is almost completed and also submitted that the co-accused were arrested and they were still in judicial custody.

5.Considering the above and also the nature of the charges levelled against the petitioners, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this criminal original petition is allowed and 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 learned Judicial Magistrate, Ilayangudi, 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 deposit a sum of **Rs.5,000/- (Rupees Five Thousand only) each**, to the credit of Cr.No.110 of 2022 before the trial Court concerned, within a period of two weeks from the date of receipt of copy of this order.

[c]the petitioners shall report before the respondent police on every Wednesday and Sunday at 10.30 for a period of three months and thereafter, as and when required for interrogation.

[d]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioners shall not abscond either during investigation or trial.

[f]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.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE,
ILAYANGUDI.

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

3. THE INSPECTOR OF POLICE,
ILAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.MALAIKANI S Advocate SR.No.4760

ORDER

IN

CRL OP(MD) No.9466 of 2022

Date :19/05/2022

SP/PN/SAR IV/24/05/2022/3P/6C