



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.9414 of 2022

1. Malarvizhi

2. Panju

3. Ramu

4. Selvakumar

5. Karuppasamy ... Petitioners/Accused Rank not known

Vs

The State represented by
The Inspector of Police,
Silaiman Police Station, Madurai.
Crime.No 154/2022.

... Respondent/Complainant

For Petitioners : M/s.Sukumar.S,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.154 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 323 & 506(ii) of IPC r/w Section 4 of TNPWH Act, in Crime No.154 of 2022, seek anticipatory bail.

2.The case of the prosecution is that with regard to usage of public pathway, there is an enmity between them and on 10.05.2022, the petitioners thrown stone on the defacto complainant and scolded him with filthy language. Hence, the complaint.



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

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the the injured was treated as out patient.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

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 No.2, Madurai, 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 1 & 2 shall report before the respondent police as and when required for interrogation and the petitioners 3, 4 & 5 shall report before the respondent police on every Wednesday 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

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/ /2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
SILAIMAN POLICE STATION, MADURAI.

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

+1. CC to M/S. SUKUMAR.S Advocate SR.No.4897

ORDER
IN
CRL OP(MD) No.9414 of 2022
Date :18/05/2022

SS/VR/SAR:IV/23.05.2022 : 3P/6C