



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/05/2022

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PRESENT

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

CRL.OP(MD).No.9600 of 2022

1.Mani @ Theepatti Manikandan
2.V.Palanivelrajan
3.Kali @ Tankar Kali

... Petitioners/Accused
Nos.1 to 3

Vs.

State rep.by
The Sub Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.148 of 2022)

... Respondent/Complainant

For Petitioners : Mr.D.Anbarasu, 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 Cr.No.148 of 22 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC.,in Crime No.148 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that since the petitioners were in drunken mode on 15.05.2022, they quarrel with the defacto complainant and the petitioners said to have abused the defacto complainant in filthy language and also attacked him. Hence, the complaint.



3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the injured person has already been discharged from the hospital. He further submitted that more than six previous cases are pending against the first and second petitioners. With regard to the third petitioner, there is no previous case pending against him.

5.Considering the bad antecedents of the first and second petitioners, this Court is not inclined to grant bail to them and this Criminal Original Petition is dismissed as far as the first and second petitioners are concerned.

6.In so far as the third petitioner is concerned, there is no serious allegation as against him, this Court is inclined to grant anticipatory bail to the third petitioner with certain conditions.

7.Accordingly, the third petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

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

[c]the third petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the third petitioner 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 third petitioner in accordance with law as if the conditions have been imposed and the third petitioner 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.

vsd

TO

1. THE JUDICIAL MAGISTRATE,
THIRUPPUVANAM,
SIVAGANGAI DISTRICT.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
 3. THE SUB INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.ANBARASU D Advocate SR.No.4799

ORDER
IN
CRL OP(MD) No.9600 of 2022
Date :19/05/2022

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