



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/08/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12881 of 2022

1. K.Chandrasekar

2. K.Govindaraj

... Petitioners/Accused Nos.10 & 11

Vs

The State rep.by
The Inspector of Police,
Siruganoor Police Station,
Trichy.

Crime No.165 of 2022.

... Respondent/Complainant

For Petitioners : M/s.MOHAN GANDHI.S.M.,

For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.165 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 alleged offence punishable under Sections 147, 148, 294(b), 342, 353, 506(ii) IPC and Section 3 of TNPPDL Act, 1992, in Crime No.165 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 26.06.2022 at about 07.25PM, the Akkaraipatti village people enquired one Bharathkumar and his friends, since they were found in suspicious manner and caught Bharathkumar in the forest area. The respondent Police came to the spot and asked the village people to hand over the said Bharathkumar to them. The petitioners and other accused prevented them to do their official duties and used filthy languages and broke the mirror of the Police vehicle.

3.The learned counsel for the petitioners submitted that in respect of very same occurrence, two FIRs had been registered. One at the instance of Bharathkumar in Crime No.164 of 2022 and another



one is the present case. No case has been registered against the said Bharathkumar. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that no case has been registered against the said Bharathkumar did not involve in said offence. The accused persons also caused damage to the tune of Rs.5,000/-.

5. Reading of both FIRs shows that for the very same occurrence, two cases had been registered. The accused persons joined together and caused assault to Bharathkumar. This occurrence took place without any preplanning. No case has been registered against the said Bharathkumar.

6. Considering the facts and circumstances of the case and the petitioners are not having any bad antecedent, this Court is inclined to grant anticipatory bail to the petitioners with stringent conditions.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.165 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

8. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Lalgudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall file an undertaking affidavit that they will not indulge in any kind of offence before the trial Court and appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
29/08/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
SIRUGANOOR POLICE STATION,
TRICHY.

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

+1. CC to M/S.MOHAN GANDHI.S.M., Advocate SR.No.9289

ORDER

IN

CRL OP(MD) No.12881 of 2022
Date :29/08/2022

PNM

SA/SVR/SAR.2/07.09.2022/3P/6C