



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 07/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.14729 of 2022

1. Kavi @ Pugalenth
2. Manikandan
3. Ramana @ Ramana Raja

... Petitioners/Accused
Rank Not Known

Vs

The State Rep. By,
The Inspector of Police,
Nainar Kovil Police Station,
Ramanathapuram District.
Crime No. 126/2022.

... Respondent/Complainant

For Petitioner : M/s.Jeyakarthik.M.S.,
Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

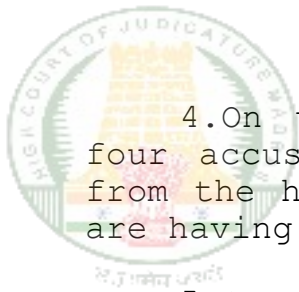
For Anticipatory Bail in Crime No. 126 of 2022 of 2022 on the
file of the respondent Police

ORDER : The Court made the following order :

The petitioners/A1, A2 and A4, who apprehend arrest at the
hands of the respondent police for the offences punishable under
Sections 294(b), 324 and 506(ii) IPC, in Cr.No.126 of 2022, seek
anticipatory bail.

2.The case against the petitioners is that due to election
dispute, the petitioners abused the de-facto complainant in filthy
language and attacked him. Hence, the above case has been registered
against the petitioners.

3.On the side of the petitioners, it is stated that due to
election dispute, a false case was foisted against the petitioners
and prayed the petitioners to be released on anticipatory bail.



4. On the side of the prosecution, it is stated that only four accused involved in the offence. The injured was discharged from the hospital on 01.09.2022. He fairly admitted that A1 and A2 are having one previous case and A4 is having no previous case.

5. Considering the nature of the offence and on considering the fact that injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Paramakudi, 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall be present before the Court on hearing dates and before the respondent police as and when required;

(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]**; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

07/09/2022

/ TRUE COPY /

/09/2022

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
PARAMAKUDI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
NAINAR KOVIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-9758[I] dated 08/09/2022)

ORDER
IN
CRL OP(MD) No.14729 of 2022
Date :07/09/2022

sj i
USK/SBN/SAR-IV/15.09.2022/3P/6C