



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Reserved on : 13/09/2022
Delivered on : 19/09/2022

PRESENT

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The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.16282 of 2022

1. Chandran @ Chandhiran
2. Balakumaran @ Chinna Appu
3. Prabhu

... Petitioners/Accused Nos.2,4&6

Vs

The State Rep. By,
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
Crime No.954 of 2022..

... Respondent/Complainant

For Petitioners : M/s.Dhilipan Pandian R.L.,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PRAYER :-

For Anticipatory Bail in Crime No.954 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294 (b), 324, 506(ii) and 307 IPC, in Crime No. 954 of 2022, seek anticipatory bail.

2. The allegation against the petitioners is that due to previous motive, the petitioners and other accused armed with weapons, assaulted the defacto complainant and the victim and abused them and also threatened them with dire consequences. A case in Crime No.954 of 2022, was registered against the petitioner.

3. On the side of the petitioners, it is stated that there is no specific overt act against the petitioners. On the previous date of the occurrence, brother of A1 was attacked by the victim in this



case and the brother of A1 lodged a complaint in Crime No. of 2022. As a counter blast, the defacto complainant has lodged this complaint and prayed the petitioners to be released on bail.

4. On the side of the prosecution, it is stated that there was a dispute during the temple festival. The petitioners attacked the defacto complainant with sword and sickle and caused grievous injuries. It is further submitted that the injured was discharged from the hospital and prayed the petition to be dismissed.

5. Considering the nature of the offence and considering the fact that there is a case and counter case and that the injured was discharged from the hospital and also considering the fact that the respondent police failed to arrest the petitioners, 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 their 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 No.II, Thanjavur District, 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 until further orders;

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

(d) 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
19/09/2022

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/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 NO.II,
THANJAVUR DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16282 of 2022
Date :19/09/2022

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USK/SBN/SAR-I/23.09.2022/3P/5C