



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

Date : 16/09/2022

PRESENT

**The Hon`ble Mr.Justice A.A.NAKKIRAN**

CRL OP(MD). No.16539 of 2022

WEB COPY

1. Hemalatha  
2. Piradeepa

... Petitioners/A1 & A2

Vs

State Rep.by  
The Inspector of Police,  
Manamadurai Police Station,  
Sivagangai District  
(Crime No. 277 of 2022).

... Respondent/Complainant

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

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 277 of 2022 on the file of the Respondent police.

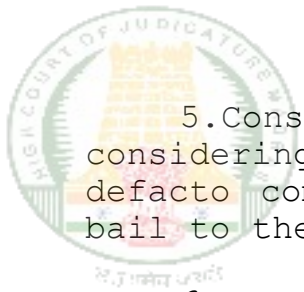
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 353 and 506(i) of IPC, in Crime No.277 of 2022, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners abused the defacto complainant in filthy language, assaulted him with stick and chappels and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that they are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioner shall abide any condition imposed by this Court.

4.The learned Government Advocate (Crl.Side) would submit that due to the aforesaid occurrence, a case in counter has also been registered against the defacto complainant and investigation is still pending.



5. Considering the nature of the offence alleged, so considering the fact that a counter case is pending against the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners shall deposit a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) each, to the credit of Crime No.277 of 2022 before the learned Judicial Magistrate, Manamadurai, Sivagangai District, without prejudice to their rights and contentions before the trial Court and produce the receipt/ acknowledgment before the trial Court.

7. On production of such receipt/acknowledgment, 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, Manamadurai, Sivagangai 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 a.m., until further orders;

(c) the petitioners shall not tamper with 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]**; and;

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

sd/-

16/09/2022

/ TRUE COPY /

/09/2022

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



TO

1 THE JUDICIAL MAGISTRATE,  
MANAMADURAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE  
MANAMADURAI POLICE STATION, SIVAGANGAI DISTRICT.

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

+1 CC to M/s.S.PALANIAPPAN, Advocate ( SR-10137[I] dated  
16/09/2022 )

ORDER

IN

CRL OP(MD) No.16539 of 2022

Date :16/09/2022

CP

RS/VR/SAR.1 (22.09.2022) 3P-6C