



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD).No.16594 of 2022

WEB COPY

1.Vellaipandi
2.Selvarani
3.Vellaisamy
4.Ayyanar
5.Mariselvam

... Petitioners/Accused Nos.1 to 5

Vs

State represented by
The Inspector of Police,
K.V.Nallur Police Station,
Tenkasi District.
(Crime No.365/2022).

... Respondent/Complainant

For Petitioners : M/s.G.Thalaimutharasu
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.365/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 5 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) and 427 of IPC in Cr.No.365 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the accused have attacked the defacto complainant, scolded in filthy language and threatened him with filthy language. The defacto complainant sustained injury in this incident. Hence the complaint.

3.The learned counsel for the petitioners submitted that the petitioners/A1 to A5 have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case and pray the petitioners to be released on anticipatory bail.

4.The learned Government Advocate(Crl.side) submitted that the accused Nos.2 and 5 were damaged the compound wall of the defacto



complainant and they were arrested. The defacto complainant is 1r months pregnant. The injured has been discharged from the hospital.

5. Considering the facts and circumstances of this case and considering the nature of offence this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarankovil, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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;

(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 petitioner 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/-

15/09/2022

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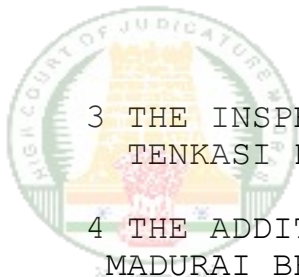
/09/2022

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

TO

1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.



3 THE INSPECTOR OF POLICE, K.V. NALLUR POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-10077[I] dated
15/09/2022)

ORDER

IN

CRL OP(MD) No.16594 of 2022

Date :15/09/2022

PNN

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