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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/09/2022

PRESENT

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

CRL OP(MD) . No.17076 of 2022

1. Rajasekar
2. Muthamil Selvan
3. Kannan
4. Sekar @ Chandrasekaran
5. Geetha

... Petitioners/Accused 1 to 5

Vs

State rep.by
The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
(Crime No.502/2022).

... Respondent/Complainant

For Petitioners: M/s.Lenin Kumar T, 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.502 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, 341, 294(b), 324, 307 I.P.C, in Crime No.502 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The earlier anticipatory bail petition filed by the petitioners was dismissed by this Court on 16.09.2022, on the ground that injured was not discharged from the hospital.



3.Now, the petitioners have filed this second anticipatory bail petition on the ground that injured was discharged from the hospital. Hence, prays to enlarge them on anticipatory bail.

4.On the side of prosecution, it is stated that the injured was discharged from the hospital. The A1, A2 are having one previous case at their credit and A3 to A5 are not having any previous case at their credit. Hence, prays to dismiss the petition.

5.Considering the facts and circumstances of the case and this is the second petition filed by the petitioners and the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners shall pay a sum of **Rs.2,000/- (Rupees Two Thousand only) each to the credit of the Head Mistress, Govt. High School, Sathyamoorthy Nagar, Madurai (SBI Bank, CIF No.85420502171, A/c No.30641540761, IFSC No.SBIN0016503), Phone No.2463101**, without prejudice to their rights and contentions before the trial Court and produce the receipt before the trial Court.

7.On production of such receipt, 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 Judicial Magistrate, Aranthangi, 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 on further conditions that:

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 am until further orders;

(c)the petitioners shall not tamper with the 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/ petitioners thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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Sd/-
23/09/2022

/ TRUE COPY /

/09/2022

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

PNM

TO

1. THE JUDICIAL MAGISTRATE,
ARANTHANGI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
PUDUKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE HEAD MISTRESS, GOVT.HIGH SCHOOL,
SATHYAMOORTHY NAGAR, MADURAI.

+1. CC to M/S.LENIN KUMAR T Advocate SR.No.10516

ORDER
IN
CRL OP(MD) No.17076 of 2022
Date :23/09/2022

SP/VRS/SAR I/28/09/2022/3P/7C

<https://www.mhc.tn.gov.in/judis>