



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/09/2022
PRESENT

WEB COPY

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

CRL OP(MD) . No.17524 of 2022

1. Vijayakumar

2. Ajithkumar

... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Cr No.445/2022).

... Respondent/Complainant

For Petitioners : M/s.SATHYA CHIDAMBARAM.S,

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

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

PRAYER :- For Anticipatory Bail in Cr No.445/2022 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 294(b), 324, 354, 506(ii) I.P.C, in Crime No.445 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 28.08.2022, the accused persons abused the defacto complainant and his wife in filthy language, assaulted them with knife and also threatened them to kill. Hence, the complaint.

3. On the side of petitioners, it is stated that the petitioners are arrayed as A1, A2 in this case. The co-accused A3 was released on bail. The petitioners are noway connected with the offence. Hence, prays to release the petitioners on anticipatory bail.

4.On the side of prosecution, it is stated that the in this case injured was discharged from the hospital and investigation is not yet completed. Hence, prays to dismiss the petition.



5. Considering the facts and circumstances of the case, the co-accused was already enlarged on bail and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original 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 Judicial Magistrate, Orathanadu, 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 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 petitioners 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.

sd/-

30/09/2022

/ TRUE COPY /

/10/2022

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

TO

1 THE JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



3 THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S.SATHYA CHIDAMBARAM.S Advocate SR.No.10891

**ORDER
IN**

CRL OP(MD) No.17524 of 2022
Date :30/09/2022

PNM
SA/SVR/SAR. /07.10.2022/3P/6C