



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

Date : 04/01/2022

PRESENT

**The Hon`ble Mr.Justice B.PUGALENDHI**

CRL OP(MD). No.19231 of 2021

and

Crl.M.P(MD) No.11975 of 2021

1. Ramasamy Chettiyar
2. Ankayarkanni
3. Arunkumar

... Petitioners/Accused Nos.1,2 and 4

Vs

The State Rep.by  
The Inspector of Police,  
K.Pudur Police Station,  
K.Pudur, Madurai District.  
Crime No.286/2021.

... Respondent/Complainant

For Petitioners: Mr.S.Loganathan, Advocate.

For Respondent : Mr.P.Kottaisamy, Government Advocate (Crl.Side)

For Intervenor : R.Suresh Kumar, Party-in-person

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

PRAYER :- For Anticipatory Bail in Crime No.286/2021 on the file of the Respondent Police.

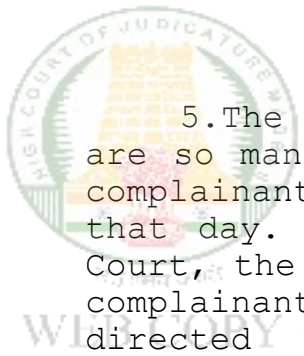
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 427, 506(i) and 379 IPC in Crime No.286 of 2021, seek anticipatory bail.

3.The case of the prosecution is that the petitioners went to the chamber of the Defacto Complainant and assaulted him. Hence, the complaint.

4.This Court, by earlier order dated 24.08.2021 dismissed the application filed by the petitioners seeking anticipatory bail, considering the nature of allegation that these petitioners assaulted the Advocate in his Chamber.



5.The learned counsel for the petitioners submits that there are so many issues pending between the petitioners and the defacto complainant and therefore the alleged occurrence had taken place on that day. Without prejudice to the defence whatever in the trial Court, the petitioners are willing to take apology from the defacto complainant. Accordingly, this Court adjourned the matter today and directed the petitioners to take apology from the defacto complainant. The petitioners have also taken earnest efforts to take apology from the defacto complainant through the Bar President. Even then, the defacto complainant has not shown any indulgence for the same. The learned counsel for the petitioners submits that the petitioners are not in a position to comply with the directions of this Court.

6.Considering the nature of allegations and conduct of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this criminal original petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.VI, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

**[b]**the petitioners shall report before respondent police daily at 10.30 a.m., until further orders.

**[c]**the petitioners shall not tamper with the 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.



[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Consequently, connected Criminal Miscellaneous Petition is closed.

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sd/-  
04/01/2022

/ TRUE COPY /

/ /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.VI, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,  
K.PUDUR POLICE STATION,  
K.PUDUR, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.S.LOGANATHAN, Advocate ( SR-28[I] dated 04/01/2022 )

ORDER  
IN  
CRL OP(MD) No.19231 of 2021  
and  
Crl.M.P(MD) No.11975 of 2021  
Date :04/01/2022

VRN  
MS/VR/SAR-1/11.01.2022/3P.6C