



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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17833 of 2022

1. Justin
 2. Elango
 3. Sankarappan
- ... Petitioners/Accused Nos.1to3

Vs

State rep. by
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
(Crime No. 297 of 2022). ... Respondent/Complainant

For Petitioner : M/s.Bairavan.K.,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 297 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 alleged offences punishable under Sections 447, 427 & 506(i) of IPC in Crime No.297 of 2022, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity with regard to land dispute, the petitioners abused the defacto complainant with filthy language. Hence, the complaint.



3.The learned counsel for the petitioner submitted the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that investigation is pending.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioners, 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 on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate NO.I, Tirunelveli, on condition that the petitioners 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 the respondent police on every Wednesday at 10.30 a.m, for a period of eight weeks.

[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 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]**.

sd/-
06/10/2022

/ TRUE COPY /

/10/2022
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.I,
TIRUNELVELI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.BAIRAVAN, Advocate (SR-10989[I] dated 06/10/2022)

ORDER

IN

CRL OP(MD) No.17833 of 2022

Date :06/10/2022

rmi

USK/SBN/SAR-II/11.10.2022/3P/6C