



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/10/2022
PRESENT

WEB COPY

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

CRL OP(MD). No.17803 of 2022

1. K.Jeyapaul
 2. J.Balasundari
 3. J.Jegan
 4. Gobi @ J.Gobi Rajan
 5. Murali @ J.Muralidoss
 6. M.Prabhavadhi @ Prabha
 7. M.Anandha Angel
 8. R.Benet
- ... Petitioners/Accused No.1 to 8

Vs

The State represented by
The Inspector of Police,
Thirukkurungudi Police Station,
Tirunelveli District.
(Crime No.106 of 2022).

... Respondent/Complainant

For Petitioners: M/s.Robinson. A,
Advocate.

For Respondent : S.Manikandan,
Government Advocate (Crl.Side)

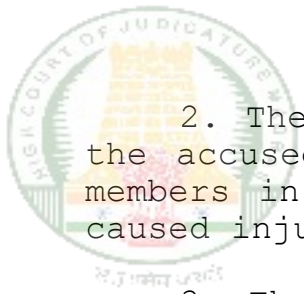
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime no.106 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
147, 447, 294(b), 323, 324, 505(1)(b) and 506(ii) of IPC, in Crime
No.106 of 2022, seek anticipatory bail.



2. The case of the prosecution is that due to previous, the accused persons abused the defacto complainant and his family members in filthy language, attacked them with iron rods and also caused injuries to them. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that due to the aforesaid occurrence, a case in counter has also been registered against the defacto complainant and others in Crime No.107 of 2022.

4. The learned Government Advocate(crl.side) appearing for the respondent police submitted that the civil suit is pending between the parties and it is a case and case in counter.

5. Considering the facts and circumstances of the case and also the fact that it is a case and case in counter, 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, Vallioor on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) 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 3, 4, 5 and 8 shall report before the respondent police on every Wednesday at 10.30 a.m., for a period of six weeks and thereafter, as and when required for interrogation.

[c] the petitioners 1, 2, 6 and 7 shall report before the respondent police as and when required for interrogation.

[d]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioners shall not abscond either during investigation or trial.

[f]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 Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

(g)if the accused / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

06/10/2022

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/10/2022

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

btr/cp

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

+1. CC to M/S.ROBINSON A Advocate SR.No.10953

ORDER

IN

CRL OP(MD) No.17803 of 2022

Date :06/10/2022

SS/SVR/SAR I/11/10/2022/ 3P 6C