



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.17823 of 2022

WEB COPY

1. Soorya
2. Sakthi
3. Velmurugan
4. Thesingkuraja
5. Periyandavar
6. Bala @ Balamurugan
7. Siva @ Sivakali
8. Ammavasai

... Petitioners/Accused No.2 to 9

Vs

The State Rep. By,  
The Inspector of Police,  
M. Kallupatti Police Station,  
Madurai District.  
(Crime No.89/2022).

... Respondent/Complainant

For Petitioners: M/s.Rajeshwaran.K,  
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.89/2022 on the file of the Respondent Police.

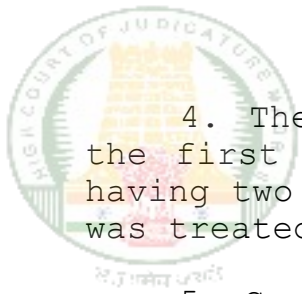
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 188, 294(b), 286, 324 & 506(2) of IPC, in Crime No.89 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 11.09.2022, one community people celebrating Imanuel Sekaran Gurupooja. When the defacto complainant went to that place, the accused persons scolded him in filthy languages and asked why to come that side and also attacked him by throwing stones. 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.

<https://www.mhlnet.org.in/crims>



4. The learned Government Advocate (crl.side) submit at the first accused is still absconding and the fifth petitioner is having two previous cases. He would further submit that the injured was treated as out patient.

5. Considering the facts and circumstances of the case and also the fact that the injured was treated as out patient, 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 II, Usilampatti, Madurai District 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 petitioner shall report before the respondent police on every Monday and Saturday at 10.30 a.m., for a period of six weeks and thereafter, as and when required for interrogation.

[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 absconds, a fresh FIR can be registered under Section 229-A IPC.

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.II,  
USILAMPATTI, MADURAI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,  
M.KALLUPATTI POLICE STATION,  
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.RAJESHWARAN, Advocate ( SR-11074[I] dated  
07/10/2022 )

ORDER  
IN  
CRL OP(MD) No.17823 of 2022  
Date :06/10/2022

btr/cp  
USK/VR/SAR- /10.10.2022/3P/6C