



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/10/2022
PRESENT

WEB COPY

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

CRL OP(MD) . Nos.18677 & 18484 of 2022

Surya Prakash

... Petitioner/Accused No.3
in CRL OP(MD) . No.18677 of 2022

1. Praveen @ Thangasamy

2. Naveen @ Thangavel

... Petitioners/Accused Nos.1 & 2
in CRL OP(MD) . No.18484 of 2022

Vs

The State rep.by
The Inspector of Police,
Sellur Police Station,
Madurai City.
(Crime No.769 of 2022).

... Respondent/Complainant
in both petitions

In both petitions:

For Petitioners : M/s.BALAMURUGANANTHAM R,

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

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

COMMON PRAYER :- For Anticipatory Bail in Crime No.769 of 2022 on the file of the Respondent Police

COMMON 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 341, 294(b), 323, 324, 506(ii) r/w 109 I.P.C, in Crime No.769 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The earlier anticipatory bail petitions filed by the petitioners were dismissed by this Court on 22.09.2022, considering the gravity of offence.



3.Now, the petitioners have filed these second anticipatory bail petitions on the ground that the injured was discharged from the hospital. Hence, prays to enlarge them on anticipatory bail.

4.On the side of prosecution, it is stated that the injured was discharged from the hospital. A3 is having previous cases at his credit. Hence, prays to dismiss the petition.

5.Considering the facts and circumstances of the case 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, these Criminal Original Petition are 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 No.2, Madurai, 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/-
18/10/2022

/ TRUE COPY /

/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE NO.2,
MADURAI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI CITY.

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

+2. CC to M/S.BALAMURUGANANTHAM R Advocate SR.No.11574 & 11575

ORDER

IN

CRL OP (MD). Nos.18677 &
18484 of 2022

Date :18/10/2022

PNM

SA/SBN/SAR. /27.10.2022/3P/7C