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CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/10/2022

PRESENT

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

CRL OP(MD). No.18481 of 2022

1. Vikram
2. Surendhar

... Petitioners/Accused 1 & 2

Vs

State Rep.by
The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
(Crime No.512 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Venkatesh D, Advocate
For Respondent : M.Muthumanikam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.512 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 307, 323, 324 and 506(ii) of IPC r/w Sections 25(1A), 27(2) of Arms Act, in Crime No.512 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The first anticipatory bail petition was dismissed as withdrawn and the second anticipatory bail petition filed by the petitioners was dismissed by this Court on 20.09.2022, on the ground that the petitioners are having previous cases at their credit.

3.Now, the petitioners have filed this third anticipatory bail petition on the ground of change in circumstances and nature of offence. Hence, prays to enlarge them on anticipatory bail.



4. On the side of prosecution, it is stated that the injured is discharged from the hospital. The A1, A2 are having previous cases at their 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, this Criminal Original Petition is 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, Pattukottai, 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

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/10/2022

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



TO

1 THE JUDICIAL MAGISTRATE, PATTUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.D.VENKATESH, Advocate (SR-11606[I] dated 18/10/2022)

ORDER

IN

CRL OP(MD) No.18481 of 2022

Date :18/10/2022

PNM

RS/VR/SAR.(27.10.2022) 3P-6C