



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/11/2022

PRESENT

WEB COPY

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

CRL OP(MD). No.20225 of 2022

1. Tamil @ Tamilarasan

2. Karthick @ Karthikeyan

3. Sakthi @ Sakthivel

... Petitioners/Accused Nos.1 to 3
Vs

The State represented by
The Inspector of Police,
B-6, Jahindpuram Police Station,
Madurai City.
In Crime No.528/2022

... Respondent/Complainant

For Petitioners : M/s.C.Senthil Murugan,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

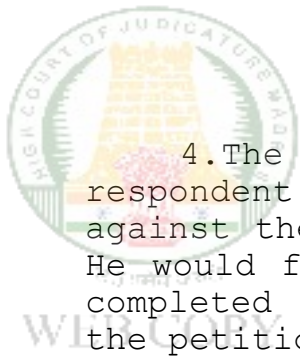
For Anticipatory Bail in Crime No. 528/2022 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
341, 323, 324, 506(ii) and 379 (NH) of IPC, in Crime No.528 of 2022,
seeks anticipatory bail.

2. The case of the prosecution is that on 08.11.2022, the
defacto complainant proceeded towards his house in his two wheeler,
at that time, the petitioners said to have waylaid him and brutally
assaulted him with stones and wooden logs. Further, the petitioners
said to have threatened the defacto complainant with dire
consequences and abused her with filthy languages. Hence, the
complaint.

3.The learned counsel for the petitioner would submit that the
petitioners are innocent persons and they did not commit any offence
as alleged by the prosecution. He would further submit that the
petitioners shall abide any condition imposed by this Court and
may be granted anticipatory bail.



4.The learned Government Advocate(crl.side) appearing for the respondent police would submit that no previous case is pending against the petitioners and the injured was treated as out-patient. He would further submit that investigation in this case is not yet completed and hence, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the facts that the injured was treated as out-patient and the petitioners are not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, 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 learned Judicial Magistrate No.IV, 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

(c)the petitioners shall not tamper with 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]**; and;

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

15/11/2022

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/11/2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.IV
MADURAI.

WEB COPY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
B-6, JAHINDPURAM POLICE STATION, MADURAI CITY.

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

+1. CC to M/S.PANDI RANI P Advocate SR.No.13096

ORDER

IN

CRL OP(MD) No.20225 of 2022

Date :15/11/2022

SS/VR/SAR /24.11.2022/ 3P/ 6C