



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2022

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.21248 of 2022

WEB COPY

1.Muruganandam
2.Sasikumar @ Sugumar
3.Jothimani

... Petitioners/Accused

-Vs-

State represented by
The Inspector of Police,
Pattukkottai Police Station,
Thanjavur District.
(in Cr.No.621 of 2022)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioners on bail in the event of their arrest in Cr.No.621 of 2022 pending investigation on the file of the respondent Police.

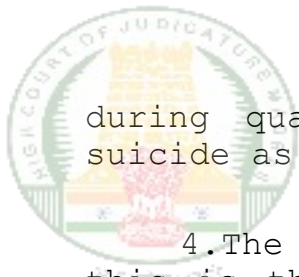
For Petitioners	: Mr.B.Anandan, Advocate
For Respondent	: Mr.P.Kottai Chamy
	Government Advocate (Crl.side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 323, 355, 506(i) and 306 of IPC in Crime No.621 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that one Thilagamani quarreled with the daughter of the de-facto complainant, who is the sister of the deceased Naveenkumar. When it was questioned by the deceased Naveenkumar, all the accused have assaulted him and insisted him to die. Due to which, on 05.10.2022, at about 10.10 p.m., the deceased committed suicide by hanging himself in a tree. Hence, the complaint,

3.The learned Counsel for the petitioners submitted that the deceased had actually abused one Thilagarani, aunty of the third accused and there was a quarrel. He would further submit that the deceased has not left any suicide note and the petitioners have been implicated only based on the confession of A3. Other than that, there is no other materials as against the petitioners. He would submit that even as per the prosecution, the incident had happened



during quarrel and there is no specific allegation of suicide as against the petitioner.

4.The learned Counsel for the petitioners would submit that this is the second application for anticipatory bail. The earlier application filed by the petitioners in Crl.O.P.(MD)No.19297 of 2022 was dismissed on 01.11.2022 stating that investigation is in the initial state. He would submit that the accused No.3 and 5 have been arrested and they have also enlarged on bail. He would reiterate that as far as the petitioners are concerned, there is no specific allegation against them. Hence, he seeks anticipatory bail.

5.The learned Government Advocate (Crl.side) would submit that totally there are five accused in this case. The petitioners are arrayed as A1, A2 and A4. He would submit that the main accused A3 and A5 have been arrested and enlarged on bail on condition to stay on Sivakasi and report before this Sivakasi Town Police Station every day at 10.30 am for a period of one month.

6.Heard the learned counsels. Taking into consideration the facts and circumstances of the case and that there is no specific averment against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, 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 on which the order copy made ready, before the learned Judicial Magistrate, Pattukottai, on condition that the petitioners shall execute 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 stay at Sivakasi and report before the Sivakasi Town Police Station everyday at 10.30 a.m., for a period of 30 days, thereafter, report before the respondent Police every day at 10.30 am for a period of two weeks and thereafter, every Saturday at 10.30 am 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. 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 229A IPC.

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/ TRUE COPY /

/12/2022

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 POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION, SIVAKASI.

+1. CC to M/S.ANANDAN B Advocate SR.No.14505

ORDER**IN**

CRL OP(MD) No.21248 of 2022
Date :06/12/2022

cmr

SA/SSS/SAR.2/21.12.2022/3P/7C