



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2022

PRESENT

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

CRL.O.P (MD) No.21861 of 2022

WEB COPY

- 1.Viswanathan
- 2.Prasath
- 3.Ananth
- 4.Kamaraj
- 5.Kannan
- 6.Prabakaran
- 7.Praveenraj
- 8.Tamilalakan
- 9.Selvam
- 10.Soundirapandiyan @ Soundarajan
- 11.Srithar
- 12.Visvanathan
- 13.Rajkannu
- 14.Arumugam
- 15.Veeramani
- 16.Alexander
- 17.Dinesh

... Petitioners/Accused No.1 to 17

-vs-

State represented by
The Inspector of Police,
Siruganur Police Station,
Trichy District.
(Cr.No.221 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 connection with Cr.No.221 of 2022 on the file of the respondent Police.

For Petitioners	: Mr.N.Anandakumar, Advocate
For Respondent	: Mr.M.Veeranthiran
	Government Advocate (Crl.side)

O R D E R

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 147, 148, 294(b), 427, 324 and 506(ii) in Crime No.221 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 during Vinayagar Chathurthi function, the petitioners are attempted to take the Vinayagar statues through a street belonging



to other community people. During such time, there was a quarrel and the petitioners have assaulted the de-facto complainant and his party members with iron rod and stones. Hence, the complaint

3.The learned Counsel for the petitioners would submit that the petitioners are innocent and a false complaint has been given. He would also submit that it is a case and case in counter. He would also submit that on the complaint given by the petitioners, a case in Cr.No.220 of 2022 has been registered against the de-facto complainant and his party members. He would also submit that the persons on the petitioners' side also injured in the incident and the de-facto complainant's side are the aggressors.

4.The learned Government Advocate (crl.side) would submit that the petitioners are attempted to take the Vinayagar statues through the street belonging to the other community people and during such time, there was some clash and the petitioners assaulted the de-facto complainant and his party members with iron rods and stones resulting in the de-facto complainant and his party members sustaining injury. However, he would submit that the injured have been discharged from the hospital.

5.Heard the learned Counsel. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

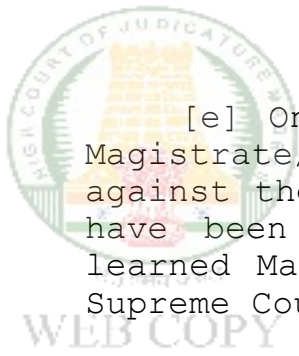
6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Lalgudi, Trichy, on condition that the petitioners shall execute bond 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 report before the respondent police everyday 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

12/12/2022

/ TRUE COPY /

/12/2022

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

TO

1 THE JUDICIAL MAGISTRATE, LALGUDI, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, SIRUGANUR POLICE STATION, TRICHY.

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

+1 CC to M/s.ANANDAKUMAR.N, Advocate (SR-14694[I] dated
12/12/2022)

ORDER

IN

CRL OP(MD) No.21861 of 2022

Date :12/12/2022

cmr

RS/VR/SAR.4(16.12.2022) 3P-6C