



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/12/2022

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.21949 of 2022

1. Azhagan
2. Palaniyappan
3. Balasubramanian
4. Subbaiya

... Petitioners/Accused-1 to 4

Vs

- 1.State Rep.by
The Sub Inspector of Police,
Ponamaravathi Police Station,
Pudukottai District.
(Crime No.290 of 2022).

- 2.Chithandi Poosari

... Respondent/Complainant

For Petitioner : M/s.Ramesh Mahadev, Advocate.
For Respondent : Mr.M.Veeranthiran,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.290 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 352 and 506(2) IPC in Crime No.290 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 the petitioners have stopped the defacto complainant from doing devotional activities in Sri Kuravanikattu Ayyanar Temple and also threatened him with dire consequences. Hence, the complaint.



3.The learned Counsel for the Petitioners would submit that the Petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that there was no dispute with regard to the administration of temple and thereby, he seeks anticipatory bail.

4.The learned Government Advocate would submit that the dispute with regard to the administration of the temple and there is no previous cases against the petitioners. He would further submit that the investigation of the case is pending and hence, he opposes to grant anticipatory bail.

5.Heard the learned counsels. Taking into consideration the facts and circumstances of the case and that there is no previous case against the petitioners, 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, Thirumayam**, 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., for a period of two weeks, 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 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 FII registered under Section 229A IPC.

sd/-
13/12/2022

/ TRUE COPY /

WEB COPY

/12/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMAYAM.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.
 - 3 THE SUB INSPECTOR OF POLICE, PONAMARAVATHI POLICE STATION,
PUDUKOTTAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +5 CC to M/s.RAMESH MAHADEV, Advocate (SR-14750[I] dated 13/12/2022)

ORDER
IN
CRL OP(MD) No.21949 of 2022
Date :13/12/2022

trp
RS/VR/SAR.4(16.12.2022) 3P-9C