



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Fourteenth day of February Two Thousand and Twenty
Three

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PRESENT

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

CRL OP(MD) . No.2899 of 2023

1. Sekar
2. Rajarampandi

... Petitioners/Accused No.1 &
Rank Not Known

Vs

The State rep. by,
Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
in Cr No.22/2023.

... Respondent/Complainant

For Petitioner : R.Gowrishankar

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

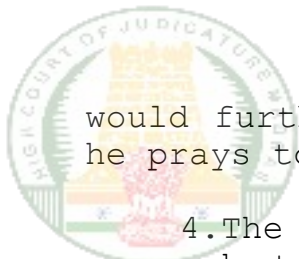
For Anticipatory Bail in Crime No.22/2023 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of
the respondent police for the offences punishable under Sections
147, 294(b), 323, 324 and 506(2) of I.P.C., in Crime No.22 of 2023
on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to a dispute in a
bar, the petitioners along with ten other persons had came there
with stick and wooden log and scolded the de-facto complainant in
filthy language and attacked the de-facto complainant and his
friends, resulting in them, sustaining injuries. Hence, the case.

3.The learned counsel for the petitioners would submit that the
petitioners are innocents and a false complaint has been given. He



would further submit that it is a case and case in counter, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that on account of a dispute in a bar, the petitioners along with ten other persons had came there with stick and wooden log and scolded the de-facto complainant in filthy language and attacked the de-facto complainant and his friends, resulting in them, sustaining injuries. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration of the facts and circumstances of the case, 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 Court, Paramakudi, Ramanathapuram District, 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 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, 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].



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

sd/-
14/02/2023

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/ TRUE COPY /

/02/2023

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

SJI

TO

1. The Judicial Magistrate Court,
Paramakudi, Ramanathapuram District.
 2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
 3. Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1. CC to R.GOWRISHANKAR Advocate SR.No.2334(I)

ORDER
IN
CRL OP(MD) No.2899 of 2023
Date :14/02/2023

NA/VS/SAR-4/22.02.2023/3P/6C