



WEB COPY

CRL OP(MD).



23

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

Date : 27/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5587 of 2023

1. Mathan @ Mohan
2. Sabarimugilan

... Petitioners/Accused No.1 and 2

Vs

State represented by
The Inspector of Police,
Pattu Kottai Police Station,
Thanjavur District.
(In Crime No.159/2017).

... Respondent/Complainant

For Petitioner : Mr.N. Balasubramanian,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr No.159/2017 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under sections 294 (b), 324 and 506 (ii) of IPC in Crime No. 159 of 2017 on the file of the respondent police, seek anticipatory bail.

2. Heard both side and perused the materials available on record including the First Information Report.

3. Taking into consideration the facts that this is the second application for bail and earlier the petitioners were granted anticipatory bail since they were unable to furnish sureties the present application has been filed. In view of the same, this court

<https://www.courtsofmadras.org/>



is inclined to grant anticipatory bail to the petitioner on certain conditions:

4. 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 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 FIR can be registered under Section 229A IPC.

sd/-

27/03/2023

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/03/2023

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

AAV

TO

1 The Judicial Magistrate, Pattukottai.

<https://www.mhc.tn.gov.in/judis>



2 Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3 Inspector of Police,
Pattu Kottai Police Station,
Thanjavur District.

4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.BALASUBRAMANIAN, Advocate (SR-5020[I] dated
28/03/2023)

ORDER
IN
CRL OP(MD) No.5587 of 2023
Date : 27/03/2023

NA/BUC/SAR-4/31.03.2023/3P/6C