



(Crime



3).

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

Date : 03/04/2023

PRESENT

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

CRL OP(MD) . 6252 of 2023

WEB COPY

1.Manikandan
2.Ragupathi

... Petitioners / Accused Nos.1&2

Vs

State rep., through
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(Crime No.85 of 2023).

... Respondent / Complainant

For Petitioner : Mr.M.Prabu, 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 Crime No.85 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 342, 324, 307, 506(ii), 109 and 34 of IPC in Crime No.85 of 2023 on the file of the respondent police, seek anticipatory bail.

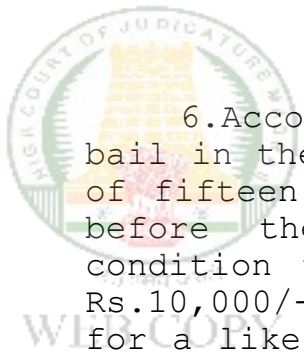
2.The case of the prosecution is that there was money dispute due to which there was a wordy quarrel, in which the petitioners said to have abused, assaulted the defacto complainant and also threatened with dire consequences, hence the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent submitted that the injured discharged from the hospital.

5.Taking into consideration of the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

<https://www.mhc.go.in/tudis>



(Crime)



3).

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 No.I, Kovilpatti, 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 pay a sum of Rs.15,000/- each to the victim directly and on such deposit, the learned Judicial Magistrate shall accept the sureties furnished by the petitioners.

[c] the petitioners shall stay in Karur and report before the Karur Police Station daily at 10.30 am., and 05.30 pm., for a period of four weeks and thereafter, report before the respondent police herein daily at 10.30 am., for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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].

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

sd/-

03/04/2023

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/04/2023

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



(Crime



3).

To

1.The Judicial Magistrate No.I,
Kovilpatti.

2.Do through the Chief Judicial Magistrate,
Thoothukudi District.

3.The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.

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

Copy to:

The Inspector of Police,
Karur Police Station,
Karur District.

+1 CC to M/s.M.PRABU, Advocate (SR-5414[I] dated 05/04/2023)

ORDER

IN

CRL OP(MD) No.6252 of 2023

Date :03/04/2023

ED/SSS/SAR-4 (10/04/2023) 3P 7C