



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

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8568 of 2023

1. Panda @ Yasin @ Mohammed Yasin
2. Chenna @ Sivanesan @ Sivaneswaran
3. Selva @ Selvakumar
4. Moosin @ Muhsin Kamel
5. Jainul @ Syed Jainul Abideen
6. Aasik @ Mohammed Asick
7. Hasan @ Mohammed Hasan

... Petitioners/Accused No.1 - 7

Vs

State rep. by
The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.
Crime No.88 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Vadivelan T,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.88 of 2023 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 alleged offences punishable under Sections
341, 147, 294(b), 323, 324, 427 and 506(ii) IPC in Crime No.88 of
2023, seeks anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the
petitioners said to have attacked the defacto complainant and also
abused him in filthy language. Hence, the complaint.



3.The learned counsel for the petitioners submitted 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 police submitted that the injured was discharged from the hospital and the investigation of the case is almost completed.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is allowed and 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Devakottai on condition that the each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (of which one shall be a blood related surety) each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police once in a week i.e., on every Sunday at 10.30 am for a period of three months and thereafter, as and when required for interrogation.

[c]the petitioners shall not tamper with the 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]**.

sd/-

17/05/2023

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

TRP

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



TO

1. The Judicial Magistrate, Devakottai.
2. Do through the Chief Judicial Magistrate,
Sivagangai.
3. The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.VADIVELAN, Advocate (SR-7463[I] dated 18/05/2023)

ORDER
IN
CRL OP(MD) No.8568 of 2023
Date : 17/05/2023

NA/CG/SAR- /22.05.2023/3P/6C