



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.8858 of 2023

WEB COPY

1.K.Manikandan
2.M.Suba
3.R.Chitra
4.R.Kanagavalli
5.Vaigai Nilai

... Petitioners/Accused No.1 to 5

Vs

State rep., by
The Sub-Inspector of Police,
Kallikudi Police Station,
Madurai District.
(Crime No.86 of 2023)

... Respondent/Complainant

For Petitioners : Mr.M.Srinivasa Raghavan, Advocate
For Respondent : Mr.A.Albert James
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.86 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 147, 148, 427, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.86 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity in respect of land dispute, the accused persons had damaged the window glass of the defacto complainant's house and also attacked him and thereby, he sustained injuries. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State would submit that investigating is pending.



5. Considering the facts and circumstances of the case, the 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirumangalam, Madurai District, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each, with one surety** 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 learned 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 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]**; and;

(f) if the accused / petitioners thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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

rmk

To

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUB-INSPECTOR OF POLICE, KALLIKUDI POLICE STATION,
MADURAI DISTRICT.



CRL OP(MD).



23

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.SRINIVASA RAGHAVAN.M Advocate SR.No.25389[F]

WEB COPY

ORDER

IN

CRL OP (MD) No.8858 of 2023

Date :17/05/2023

RS/MMS/SAR-4 (18.05.2023) 3P 7C