



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/05/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.8902 of 2023

1.Tamilarasan
2.Arunpandi
3.Vikki @ Vigneshwaran
4.Sankar
5.Gurunathan

... Petitioners/Accused No.1 & 4 to 7

Vs

State rep., by
The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
(In Crime No.106 of 2023)

... Respondent/Complainant

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

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

PRAYER :-

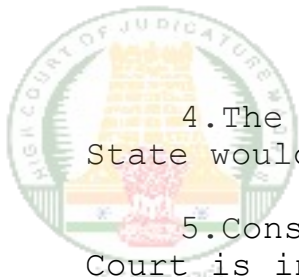
For Anticipatory Bail in Crime No.106 of 2023 on the file of the Respondent Police.

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, 294(b), 323 and 506(ii) of IPC, in Crime No.106 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to temple festival issue, a wordy quarrel arose between the parties and thereby, the petitioners also attacked the defacto complainant. 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 investigation is pending.

5.Considering the facts and circumstances of the case, this 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, Devakottai, 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 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 once in a week i.e., on every Wednesday at 10.30 am., for the period of eight weeks 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]**; and;

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

sd/-

17/05/2023

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/05/2023

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

rmk

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



To

1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

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.S.M.SANJAY, Advocate (SR-7434[I] dated 17/05/2023)

ORDER

IN

CRL OP(MD) No.8902 of 2023

Date :17/05/2023

RS/MMS/SAR-4(18.05.2023) 3P 6C