



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25/05/2023

WEB COPY

PRESENT

The Hon'ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9560 of 2023

1.L.Anantharaja @ Ananth

2.A.Velmurugan @ Velraj

3. M.Murugan @ Sadaiyandi

4. P.Ponnusamy

5. K.Ambethkar @ Ambeth

... Petitioners/  
Accused No.2,12,16,19&23

Vs.

The State rep.by,  
The Inspector of Police,  
Kulathur Police Station,  
Thoothukkudi District,  
Crime No.35/2023..

... Respondent/Complainant

For Petitioners : M/s.Srinivasaragavan.K,  
Advocate.

For Respondent : Mr.R.Suresh Kumar,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.35/2023 on the file of the  
respondent police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of  
the respondent police for the offences punishable under sections  
147, 148, 294(b), 323, 324 & 506(ii) of I.P.C., and Section 4 of  
TNPHW Act, in Crime No.35 of 2023 on the file of the respondent  
police, seeks anticipatory bail.



2. The case of the prosecution is that at the time of kabadi tournament, there was a feud between the teams. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them. He further submitted that a counter case in Crime No.34 of 2023 was registered against them for the offences under Sections 147, 148, 294(b), 323, 506(ii) of IPC and Section 4 of TNPHW Act and that the fourth petitioner is seriously injured. He further submitted that both teams are compromised.

4. The learned Government Advocate(Cri.Side) appearing for the respondent would submit that injured has been discharged from the hospital.

5. Heard. Perused the materials available on record including the First Information Report.

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

7. 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, Vilathikulam, Thoothukudi District, 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 condition that:

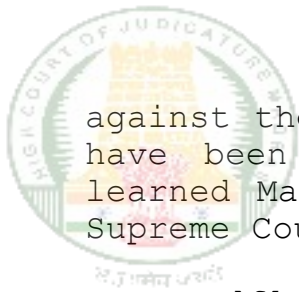
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation.

[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/-  
25/05/2023

/ TRUE COPY /

/05/2023

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

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TO

- 1.THE JUDICIAL MAGISTRATE, VILATHIKULAM, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKKUDI.
- 3.THE INSPECTOR OF POLICE,  
KULATHUR POLICE STATION,  
THOOTHUKKUDI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.SRINIVASARAGAVAN.K, Advocate ( SR-7834[I] dated  
25/05/2023 )

ORDER  
IN  
CRL OP(MD) No.9560 of 2023  
Date :25/05/2023

RK/SAR- (26/05/2023) 3P/6C