



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/06/2023
PRESENT

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

CRL OP(MD) . No.9978 of 2023

1.Petchi Pandian
2.Bhagavathi Raj

... Petitioners/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Palayamkottai Police Station,,
Tirunelveli District.
Crime No.567/2023

... Respondent/Complainant

For Petitioner : Mr.K.Suyambulinga Bharathi
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

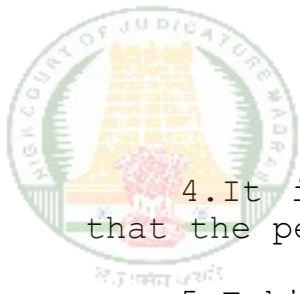
PRAYER :- For Anticipatory Bail in Crime No.567 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 341, 294(b), 323, 324, 506(1) and 395 of IPC and Section 4(1)(j) of TN Prohibition Act, in Crime No.567 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant has checking his accounts and collecting rent near KTC Nagar Roundana, at that time, six persons came in drunken mode near the de-facto complainant and stopped the de-facto complainant's vehicle and abused him in filthy language and attacked him on his cheeks and also grabbed the account slips and collection amount of Rs.25,000/- and also threatened the de-facto complainant with dire consequences. Due to which, the de-facto complainant called his father over phone, when the father arrived the spot, the accused persons attacked his father also. Hence, the case.

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



4.It is submitted by the learned Additional Public Prosecutor that the petitioners are having no previous case.

5.Taking into consideration of the facts and circumstances of the case and also the fact that the the petitioners are having no previous 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 on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.1, Tirunelveli, Tirunelveli 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 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 report before the Inspector of Police, Tallakulam Police Station, Madurai daily at 10.30 A.M., and 05.30 P.M., for a period of two weeks and thereafter, report before the respondent police daily at 10.30 A.M., for a period of two weeks and thereafter, report before the respondent police 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/-

08/06/2023

/ TRUE COPY /

WEB COPY

/06/2023

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

SJI

TO

- 1 THE JUDICIAL MAGISTRATE COURT NO.I,
TIRUNELVELI, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S.SUYAMBULINGA BHARATHI.K Advocate SR.No.8384

ORDER

IN

CRL OP(MD) No.9978 of 2023

Date :08/06/2023

SA/BUC/SAR. /15.06.2023/3P/7C