



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

Date : 19/06/2023

PRESENT

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

CRL OP(MD). No.10818 of 2023

1. R.Arun
2. Karthikeyan
3. M.Gobinath

... Petitioners / Accused No.1 to 3

Vs

The State represented by
The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No. 145 of 2023.)

... Respondent / Complainant

For Petitioners : Mr.S.Atham Ali, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

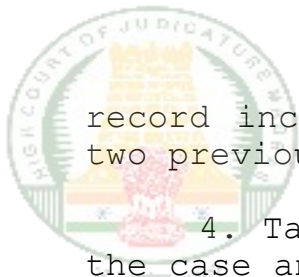
For Anticipatory Bail in Crime No. 145 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3 who apprehend arrest at the hands of the respondent police for the offences punishable under sections 294 (b), 323, 427 and 506(ii) of IPC in Crime No. 145 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 07.06.2023 around 5.00 pm., in the evening the defacto complainant and his friends while roaming in a two wheeler and when they were stopped by the petitioners and while it was questioned by the defacto complainant the petitioners herein abused the defacto complainant in filthy language, assaulted him and also threatened with dire consequences, hence the case.

<https://www.mhc.tn.gov.in/judis> Heard both side and perused the materials available on



record including the First Information Report. It is reported that at two previous are pending against the first and second petitioners.

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

5. 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, Melur, 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 shall pay a sum of Rs.15,000/- directly to the defacto complainant and on production of proof/acknowledgement the learned Magistrate shall accept the sureties furnished by the petitioners.

[b] 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.

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

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

19/06/2023

/ TRUE COPY /

/06/2023

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



To

1.The Judicial Magistrate,
Melur.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.ATHAM ALI, Advocate (SR-9114[I] dated 20/06/2023)

ORDER

IN

CRL OP(MD) No.10818 of 2023

Date :19/06/2023

ED/VR/SAR- (23/06/2023) 3P 6C