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

Date : 30/06/2023

PRESENT

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

CRL OP (MD) . No.11622 of 2023

1. P.Velmurugan

2. M.Saravanan

3. Sundramahalingam

4. S.Pandi,

5. M.Chinnasamy

... Petitioners/Accused No.2,3,5,8  
and rank not known

Vs

The State represented by  
The Inspector of Police,  
Saptur Police Station,  
Madurai District.  
(Crime No.58/2023).

... Respondent

For Petitioner : M/s.R.Rajesh Kumar,  
Advocate.

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

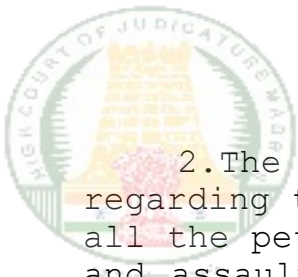
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.58 of 2023 on the file of the  
respondent police.

ORDER : The Court made the following order :-

The petitioners/A2, A3, A5 and A8, who apprehend arrest at the  
hands of the respondent police for the offences punishable under  
Sections 147, 148, 448, 294(b), 427, 341, 323, 324 and 307 of  
I.P.C., in Crime No.58 of 2023, on the file of the respondent  
police, seek anticipatory bail.



2.The case of the prosecution is that there was a wordy quarrel regarding the fire of crackers in the pongal festival, due to which, all the petitioners trespassed into the de-facto complainant's house and assaulted her and abused her and also threatened her with dire consequences. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report. It is reported that the injured has been discharged from the hospital.

4.Taking into consideration of the facts and circumstances of the case and also the facts that the injured has already been discharged from the hospital and the co-accused have already been granted bail by this this in CrI.O.P.(MD)No.9732 of 2023, dated 06.06.2023, 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 District Munsif cum Judicial Magistrate Court, Peraiyur, Madurai 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 (out of which one shall be a blood related surety) 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 respondent Police, daily at 10.30 a.m. and 05.30 p.m., for a period of six weeks 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/-  
30/06/2023

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/07/2023

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

sj i  
TO

1 THE JUDICIAL MAGISTRATE  
PERAIYUR, MADURAI DISTRICT.

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE  
SAPTUR POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.R.RAJESH KUMAR, Advocate ( SR-9900[I] dated  
30/06/2023 )

ORDER  
IN  
CRL OP(MD) No.11622 of 2023  
Date :30/06/2023

SS/06/07/2023/3P/6C