



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.11884 of 2023

1. Balamurugan

2. Ravishankar

3. Saravanan

... Petitioners / Accused No.1,2 & 4

Vs

1.The State rep by
The Inspector of Police,
Samayapuram Police Station,
Trichy District.
(Crime No.210 of 2023)

... Respondent / Complainant

2.Vijayakumar

... Petitioner / Intervener /
Defacto Complainant

For Petitioner : M/s.V.Vishnu, Advocate.

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

For Intervenor : Mr.D.S.Haroon Rasheed, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.210/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1, A2 and A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 341, 427 and 506(ii) of I.P.C., in Crime No.210 of 2023 on the file of the respondent police, seeks anticipatory bail.

<https://www.mhc.trichy.gov.in> This case of the prosecution is that the de-facto complainant



and the accused persons belong to the same community, vo different groups named as "Tamil Nadu Mutharayar Munnetra Sangam" and "Veera Mutharyar Munetra Sangam". Both the above said Sangams supports the same community and used to compete each other for upholding the Sangams, in which both of them developed grudge against each other out the said motive on 25.06.2023, the accused persons gathered near SOC and damaged the name board of Veera Mutaryar Munetra Sangam. When the same was questioned by the de-facto complainant, the accused persons abused the de-facto complainant in filthy language and threatened him with dire consequences. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report. It is reported that the petitioners have also caused damage to the board belongs to the de-facto complainant, worth about Rs.50,000/-.

4.Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

5.Accordingly, the petitioners shall jointly deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.210 of 2023 on the file of the learned Judicial Magistrate Court No.3, Trichy, without prejudice to their rights and contentions.

6.On such deposit being made, 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.3, Trichy, 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 respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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

<https://www.mhc.tn.gov.in/judis>[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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/06/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Judicial Magistrate No.III,
Trichy.

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

3.The Inspector of Police,
Samayapuram Police Station,
Trichy District.

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

ORDER
IN
CRL OP(MD) No.11884 of 2023
Date :30/06/2023

ED/ /SAR- (11/07/2023) 3P 5C