



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/03/2023
PRESENT

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

CRL OP(MD) . No.14895 of 2022

1. M.Rajendran,

2. Selvaraj,

3. Chinnadurai,

Vs

... Petitioners/Accused Rank.1,3 & 4

1. The Inspector of Police,
Kallakudi Police Station,
Trichy District.
Crime No.117 of 2022.

... Respondent/Complainant

2. Bhuvaneshwari,

(R2 is suo motu impleaded as per Order
of the Court dated 18.08.2022 in Crl.OP
(MD).14895/2022 by GIJ)

For Petitioner : M/s.Saravanan K,
Advocate.

For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For R2 : No Appearance

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

PRAYER :- For Anticipatory Bail in Crime No.117 of 2022 on the file
of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, A3 and A4, who apprehend arrest at the hands
of the respondent police for the offences punishable under Sections
294(b), 353 and 506(i) of I.P.C., in Crime No.117 of 2022 on the
file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to matrimonial
dispute, the petitioners and other accused abused the de-facto
complainant in filthy language, attacked her and also gave a life
threat to her. Hence, the case.



3. Heard the learned counsel on either side. Perusal of materials available on record including the First Information Report.

4. Considering the facts and circumstances of the case and also considering the fact that it is a case of matrimonial issue between the husband and wife, 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 Court, Lalgudi, Trichy 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 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.

[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/-

07/03/2023

/ TRUE COPY /

/03/2023

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



SJI

TO

1 THE JUDICIAL MAGISTRATE,
LALGUDI, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
KALLAKUDI POLICE STATION,
TRICHY DISTRICT.

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

+1. CC to M/S.SARVANAN K Advocate SR.No.3518

ORDER

IN

CRL OP(MD) No.14895 of 2022

Date :07/03/2023

SA/BUC/SAR.1/21.03.2023/3P/6C