



CRL OP(MD). No.19662 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/11/2023

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CRL OP(MD). No.19662 of 2023

1. Sathiyaraj

2.Subramanian Alias Subramani

... Petitioners/ Accused No.1 & 2

Vs

The State represented by
The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
Cr.No.271/2023.

... Respondent/Complainant

For Petitioner : Mr.K Arunraj,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 271/2023 on the file of the Respondent police.



CRL OP(MD). No.19662 of 2023

ORDER: The Court made the following order :-

WEB COPY

The petitioners/ A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under sections 294(b) and 506(i) of IPC in Crime No. 271 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to some dispute regarding grazing of cattle the petitioners herein abused him and also threatened with dire consequences, hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them. He would further submit that no one sustained injuries in the said occurrence hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that due to some dispute regarding grazing of cattle the petitioners herein said to have abused the defacto complainant and also threatened with dire consequences, hence he objected to grant anticipatory bail to the petitioners. However he fairly concedes that no one



CRL OP(MD). No.19662 of 2023

WEB COPY
petitioners.

sustained injuries in the said occurrence and no previous case is pending against the

5. Taking into consideration of the facts and circumstances of the case and also the fact that no previous case is pending against the petitioners and no one sustained injuries in the said occurrence, 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, Thottiyam 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;



CRL OP(MD). No.19662 of 2023

WEB COPY

(b)the petitioners shall report before the respondent police daily at 10.30 a.m for a period of 30 days 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]; and;

(f)if the accused/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
06/11/2023

/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



CRL OP(MD). No.19662 of 2023

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE,
THOTTIYAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KATTUPUTHUR POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-15981[I] dated 06/11/2023)

ORDER
IN

CRL OP(MD) No.19662 of 2023
Date :06/11/2023

SS/JGB/SAR- /07/11/2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023