

In the Court of the Principal District Judge, Madurai.

Present : Tmt.N.Nagalakshmi, M.A., B.L.,

Principal District Judge (Incharge), Madurai.

Thursday, this the 01st day of October -2020.

Crl.M.P.No.4406/2020

1.Praveenkumar,S/o.Ambalam

2.Prasanth,S/o.Ambalam

3.Arul Arasu,S/o.Prem Kumar

4.Pandi Selvi,W/o.Ambalam

... Petitioners/Accused.

Vs

State through the Inspector of Police,

Thirumangalam Town,P.S. Cr.No.1144/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.Arun Prasanth, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1. Anticipatory Bail application u/s. 438 of Cr.p.c.

2. The offences alleged are U/s. 294(b), 427 and 506(ii) of IPC.

3. Heard both sides.

4. The learned counsel for the petitioners submitted that totally there are 4 accused in this case. The petitioners are A1 to A4. The 4th petitioner was arrested and released on bail on own bond by the respondent police and therefore, he withdrawn the petition in respect of the 4th petitioner. No injury. Due to previous motive, false case foisted against the petitioners. He prayed for releasing the petitioners 1 to 3 on anticipatory bail.

5. It is argued on the part of the public prosecutor that the date of occurrence was on 23.9.2020. The petitioners caused disturbance to the public and hence, the defacto complainant advised the petitioners. The petitioners

caused damages to the roof of the defacto complainant. The damage value is not mentioned in the F.I.R. No one injured in this case. He placed his objection in granting anticipatory bail to the petitioners.

6. On hearing the rival submissions, it reveals that no one injured in this case. Considering the nature of offence, this court is of view that the petitioners 1 to 3 can be granted anticipatory bail and the petition is allowed.

7. In the result in the event of arrest or on their surrendering before the Court concerned the **petitioners 1 to 3** are ordered to be enlarged on anticipatory bail on their executing a bond for a sum of Rs.10,000/- each with two sureties each for a likesum to the satisfaction of Judicial Magistrate, Thirumangalam subject to the following conditions:-

(i) The petitioners 1 to 3 shall surrender before the Court concerned within 15 days from today without fail.

(ii) The petitioners 1 to 3 shall appear and sign before the Inspector of police, respondent police station daily at 10.00 a.m. until further orders.

(iii) The petitioners 1 to 3 shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.

8. If there is any violation of condition, the Investigation officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail even though anticipatory bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in **Shaji/Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

9. As far as the 4th petitioner is concerned, the anticipatory bail petition is dismissed as withdrawn.

Pronounced by me in Open Court on the 1st day of October -2020.

Sd/- N.Nagalakshmi

Principal District Judge(i/c), Madurai

Copy to

- 1. The Judicial Magistrate, Thirumangalam**
2. The Inspector of Police, Thirumangalam Town,P.S.
3. The Petitioner through his counsel.