

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.4407/2020

1.R.Alagumalai,S/o.Ramar

2.A.Mayakkannan,S/o.Ayyankalai

3.Chinnan,S/o.Karuvachithan

... Petitioners/Accused.

Vs

State through the Inspector of Police,

Sedapatti,P.S. Cr.No.2024/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.G.Murugesan, 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 U/s. 323, 324 and 506(ii) of IPC.

3. The learned counsel for the petitioner argued that the date of occurrence was on 8.9.2020 and F.I.R. registered on 10.9.2020. It is a case and counter case and in the counter case, the accused already surrendered before the Judicial Magistrate, Peraiyur and got bail. The injured was discharged from the hospital on the same day and hence prayed for anticipatory bail.

4. The learned public prosecutor argued that the petitioners attacked the defacto complainant with crow bar on his head and caused injuries. The learned public prosecutor also admitted the fact that the injured was discharged from the hospital. He placed his objection.

5. Upon hearing the rival submissions, the injured discharged from the hospital. The injuries are simple in nature. It is a case and a case in counter. The counter case accused were released on bail. Considering the nature of offence and other facts of the case, this court is inclined to grant anticipatory bail to the petitioners on condition.

6. In the result in the event of arrest or on their surrendering before the Court concerned the petitioners 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, Peraiyur subject to the following conditions:-

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

(ii) The petitioners shall appear and sign before the Inspector of police, respondent police station daily at 010.00a.m. until further orders.

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

7. 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.

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, Peraiyur**
2. The Inspector of Police, Sedapatti, P.S.
3. The Petitioner through his counsel.