



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2021

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PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.8316 of 2021

1. Alexander
2. Suriyan Kamaraj
3. Gananamani

... Petitioners/Accused No.1 to 3

Vs

State Rep. by
The Inspector of Police,
Kalakkadu Police Station,
Tirunelveli District.
Crime No.271/2021.

... Respondent/Complainant

For Petitioner : Mr.Sathyachidambaram.S.,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

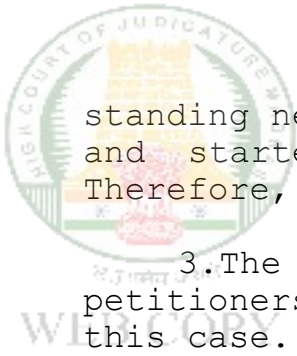
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No. 271 Of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC and Section 4 of the Tamil Nadu Harassment of Women Act, 2002, in Crime No.271 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's father-in-law has three wives. One Selvaraj veeman is the son of second wife. The defacto complainant's husband is the son of third wife. There is a land dispute between Selvaraj veeman and the defacto complainant's family in connection with the property. Owing to which, on 14.06.2021, at about 02.30 p.m., Selvaraj veeman and his wife Sahayamary, son Antro Dhanish Sujis had attacked the defacto complainant's husband and caused injuries. On the same day, at about 03.30 p.m., the defacto complainant and others were



standing near church, the accused came in support of Selvaraj Veeman and started attacking the defacto complainant and his party. Therefore, this case came to be registered.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. Hence they seek anticipatory bail.

4.The learned Government Advocate (Criminal Side) opposed the petition on the ground that the investigation is not completed and that the injured had been discharged from the hospital.

5.It appears that there is a longstanding dispute in connection with the property. As a consequence, this incident had happened.

6.Considering the facts and circumstances of the case and the fact that the injured had been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, Tirunelveli 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 and on further conditions 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 cards or Bank pass Books to ensure their identity;

[b]the petitioners shall report before respondent police daily, at 10.30 am., until further orders;

[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 229-A IPC.

sd/-
25/06/2021

/ TRUE COPY /

/ /2021

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE,
NANGUNERI, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KALAKKADU POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8316 of 2021
Date :25/06/2021

sm
JM/JC/SAR IV/30.06.2021/3P/5C