



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03.08.2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10238 of 2021 &
CRL MP(MD)No.5367 of 2021

1.Mathavi @ V.Malathi Sherin
2.V.Raajarajeswari
3.G.Sherin
4.D.Gopi
5.V.Karthikeyan
6.B.Sharmila
7.C.Velmurugan

... Petitioners/Accused 1 to 7

Vs

The State rep.by
The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai, Dindigul District.
In Crime No.738 of 2021

... Respondent/Complainant

For Petitioners: Mr.S.R.SURESH KUMAR, Advocate

For Respondent : Mr.P.KOTTAI CHAMY
Government Advocate(Crl. side)

For Intervenor : Mr.M.R.SRINIVASAN, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime no.738 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120B, 147, 148, 294(b), 323, 381 and 506(2) of IPC in Crime No.738 of 2021, seek anticipatory bail.

2. The present case has been registered on the directions of the learned Judicial Magistrate, Vedsanthur under Section 156(3) of the Code of Criminal Procedure. The case of the prosecution is that there is a dispute between the petitioners and the accused with



regard to management of Trust. Due to the said dispute, the accused 4 to 7 had slapped the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are falsely implicated in this case.

4. The learned Government Advocate (Criminal Side), on instructions, would submit that no one has been injured in this case.

5. It appears that there is a dispute between the petitioners and the accused with regard to management of Trust. Even according to the defacto complainant, the accused 4 to 7 are said to have slapped him. Considering the nature of offence and the fact that no one has been injured in this case, this Court is inclined to grant Anticipatory Bail to the petitioners.

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 of receipt of a copy of this order, before the Judicial Magistrate, Vedsanthur 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 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 respondent police as and when required, 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
<https://hsevisitors.in/hsevisitors/> Section 229-A IPC.



Consequently, the connected Miscellaneous Petition is closed.

sd/-
03/08/2021

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/ /2021

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
VEDASANTHUR.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3.THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION,
VADAMADURAI, DINDIGUL DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI DISTRICT.

+1. CC to Mr.M.R.Sreenivasan Advocate SR.No.5099

ORDER
IN
CRL OP(MD)No.10238 of 2021 &
CRL MP(MD)No.5367 of 2021
Date :03/08/2021

SA/PN/SAR.3/06.08.2021/3P/6C