



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/12/2021

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21006 of 2021

1. Marimuthu,
2. Ranjitham @ Lakshmi,
3. Manikandan,
4. Thenmozhi, ... Petitioners/Accused Nos.1 to 4

Vs

State Rep by,
The Inspector of Police,
Pulivalam Police Station,
Trichy District.
Cr.No. 208 of 2021.

... Respondent/Complainant

For Petitioners : Mr.P.Ganapathi Subramanian,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.208 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 294(b), 324, 506(i) IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners abused the defacto complainant by using filthy language and also attacked her and her husband. Therefore, the present case

<https://hservices.ecourts.gov.in/hservices/>



3.The learned counsel for the petitioners submits that the petitioners are innocents and they have been falsely implicated in this case.

4.The learned Government Advocate appearing for the respondent police submitted that the injured has been discharged from the hospital. He further submitted that no previous case is pending against the petitioners 2 to 4 and the first petitioner is having two previous cases.

5. Since the first petitioner/A1 is having two previous cases, which are similar in nature, this Criminal Original Petition is dismissed, in so far as the first petitioner/A1 is concerned.

6.Considering the facts and circumstances of the case, the nature of allegations against the petitioner Nos.2 to 4 and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner Nos.2 to 4.

7.Accordingly, this Criminal Original Petition is allowed in so far the petitioner Nos.2 to 4 are concerned and the petitioner Nos.2 to 4 are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Thuraiyur, Trichy District**, on condition that the petitioner Nos.2 to 4 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 learned Magistrate concerned and on further conditions that:

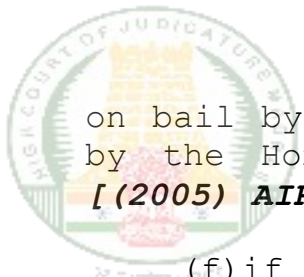
(a)the petitioner Nos.2 to 4 and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioner Nos. 2 to 4 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 petitioner Nos.2 to 4 shall not tamper with the evidence or witness either during investigation or trial;

(d)the petitioner Nos.2 to 4 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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioner Nos.2 to 4 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 Nos.2 to 4 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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,
THURAIYUR, TRICHY DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PULIVALAM POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.GANAPATHI SUBRAMANIAN.P Advocate SR.No.9826(I)

ORDER
IN
CRL OP(MD) No.21006 of 2021
Date :29/12/2021

PKP/JM/SAR-2/03.01.2022/3P/6C