



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

Date : 17/11/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.15155 of 2022

1. Sudha
2. Neelamegam ... Petitioners/Accused

Vs

1. The State Rep. By,
The Inspector of Police,
Srivilliputhur Town Police Station,
Viruthunagar District.
(Crime No.308/2022). ... Respondent/Complainant

2. Raghuvaran ... Petitioner/Intervener

For Petitioner : M/s.Bhagavath Singh G,
Advocate.

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

For Intervenor : Mr. M.Jothibas, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.308/2022 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 offences punishable under Sections 147, 148, 294(b), 323, (*) 324, 427, 452, 363, 506(2) IPC and Section 4 of TNPHW Act, in Crime No.308 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to previous motive, the petitioners have trespassed into the house of the defacto complainant and dragged his wife and attacked both the defacto complainant and his wife with iron rod and caused grievous injuries. Hence the complaint.



3.The learned counsel for the petitioners would submit that now the matter has been compromised between the parties and hence, the petitioners may be granted anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that investigation of the case is pending and she would further submit that the matter has been compromised between the parties through Mediation.

5.Considering the facts and circumstances of the case and also considering the fact that the matter has been compromised between the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Srivilliputur, 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 to 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 card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police as and when required for interrogation;

(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]**; and;



(f) if the accused thereafter abscond, a fresh FIR registered under Section 229-A IPC.

sd/-
17/11/2022

(*) AMENDED AS PER ORDER OF THIS COURT DATED 10.01.2023 IN CRL MP (MD) No.305 of 2023 IN CRL OP(MD) No.15155 of 2022 by ADJCJ)

Time granted by this Court to comply with the condition imposed vide order dated 17.11.2022 in Crl.O.P.(MD) No.15155 of 2022 is extended for a period of two weeks from the date of receipt of amended copy of this order.

/ TRUE COPY /

/01/2023

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

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 17/11/2022 ALREADY DESPATCHED

1. THE JUDGE,
ADDITIONAL MAHILA COURT,
SRIVILLIPUTTUR.
2. THE INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUTHUNAGAR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.BHAGAVATH SINGH, Advocate SR-509

ORDER
IN
CRL OP(MD) No.15155 of 2022
Date :17/11/2022

trp
USK/BUC/SAR-II/07.12.2022/3P/6C
RK/MMS/SAR-3(20.01.2023) 3P/5C