



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/09/2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.15837 of 2022

1. P.Divya Kumari
2. Pandidurai
3. Mohanraj
4. Krishnan @ Krishnakumar.M. ... Petitioners/Accused Nos.1 to 4

Vs

The State rep.by
The Station House Officer,
Pallathur Police Station,
Sivagangai District.
(Crime No. 84 of 2022).

... Respondent/Complainant

For Petitioners : M/s.ARUN SWAMINATHAN.RM.,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No. 84 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 448, 353 and 506(i) of IPC, in Cr.No.84 of 2022, seek anticipatory bail.

2.The case against the petitioners is that the first petitioner came late to the meeting of the Committee along with other petitioners and abused the defacto complainant in filthy language, hence the case came to be registered.

3.On the side of the petitioners, it is stated that due to poloritical enmity a false case was foisted against the petitioners and prayed the petitioners to be released on anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



4. On the side of the prosecution, it is stated that the petitioner sustained injuries in the said occurrence.

5. Considering the nature of the offence and on considering the fact that it is a wordy quarrel and also the fact that no one sustained injuries in the said occurrence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this petition is allowed and the petitioners 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, Karaikudi 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 daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall be present before the Court on hearing dates and before the respondent police as and when required;

(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 can be registered under Section 229-A IPC.

sd/-

08/09/2022

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/09/2022

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



TO

1 THE JUDICIAL MAGISTRATE
KARAIKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE STATION HOUSE OFFICER,
PALLATHUR POLICE STATION,
SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.15837 of 2022

Date :08/09/2022

AAV

SA/SVR/SAR.4/14.09.2022/3P/5C