



WEB COPY

CRL OP(MD).N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2022

PRESENT

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

CRL OP(MD).No.18757 of 2022

1.K.Maheswari

2.M.Muthiah

3.M.Nagajothi

4.M.Ramki

5.R.Nagarani

6.P.Sasikumar

7.S.Muthumari

8.M.Moorthi

9.P.Rakkammal @ P. Ranikannamal

10.M.Amirthavalli

... Petitioners/Petitioners/
A4 to A10,A13, A15, A16

Vs

The State rep.by,
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No. 335 of 2022)

... Respondent/Complainant

For Petitioners: Mr.K.Anbumanikandan,
Advocate.

For Respondent : Mr.M.Vaikam Karunanithi,
Government Advocate (Cr1.Side)

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



PRAYER :-

For Anticipatory Bail in Crime No.335 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A4 to A10, A13, A15, A16, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 341, 294(b), 323, 324, 427, 354, 506 (ii) of IPC, in Crime No.335 of 2022, seek anticipatory bail.

2.The case of the prosecution is that due to land dispute between the parties, the petitioners along with other accused abused the defacto complainant by using filthy language and also assaulted him with dire consequences. When the same was questioned by the defacto complainant's wife, the petitioners assaulted her and also damaged the defacto complainant's house. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that strongly opposed this petition stating that this is the petitioners' second anticipatory bail application and the earlier application was dismissed by this Court dated 29.09.2022 in Crl.O.P.(MD)No.17457 of 2022. He would further submit that the injured was discharged from the hospital.

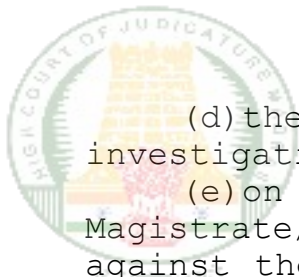
5.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 Judicial Magistrate, Nilakottai, Dindigul 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 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 until further orders;

(c)the petitioners shall not tamper with evidence or witness



(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 can be registered under Section 229-A IPC.

sd/-
20/10/2022

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/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsd

TO

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

ORDER
IN
CRL OP(MD) No.18757 of 2022
Date : 20/10/2022

RK/SSS/SAR-2 (02/11/2022) 3P/5C