



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/11/2022
PRESENT

WEB COPY

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

CRL OP(MD) . No.19328 of 2022

1. Jeyabalan,
2. Ganesan,
3. Perumal,
4. Kaliyappan,
5. Muneeswaran,
6. Kaliyanandi,
7. Thangamani, ... Petitioners/Accused Nos.1 to 7

Vs

The State rep.by
The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No. 445 of 2022.

... Respondent/Complainant

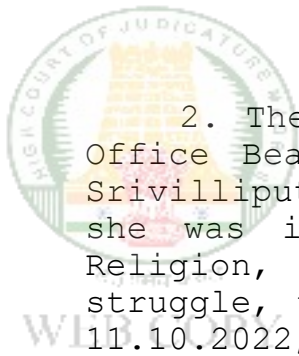
For Petitioners : Mr.C.Susi Kumar
Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 445 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A-1 to A-7, who apprehend arrest at the hands of respondent police for the offences punishable under Sections 147, 294(b), 323 and 506(i) IPC in Crime No.445 of 2022 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the petitioners are Office Bearers of Ayyampatti Hindu Vaniyar Uravinmurai Sangam at Srivilliputhur. The defacto complainant is the christian lady and she was in love with one Sundaramoorthy, who belongs to Hindu Religion, and she got married him on 02.07.2021. After long struggle, the in-laws of the defacto complainant accepted them. On 11.10.2022, the defacto complainant along with her husband gone to her father-in-law's house to visit the Pongal Festival held at Ayyampatti. During their visit, the petitioners 1 to 4 threatened her father-in-law stating that he should not permit the defacto complainant and her husband inside the house, for which, he should pay penalty of Rs.65,000/- to village. Subsequent to that, on 14.10.2022, the petitioners visited the defacto complainant's father-in-law's house and attacked and abused him with filthy language and threatened with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that in this case, injured was discharged from the hospital. Hence, the learned counsel prays for anticipatory bail to the petitioners.

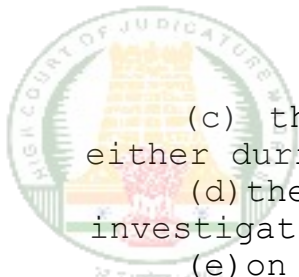
4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that totally 7 accused in this case and the investigation is in preliminary stage. He would further submit that the injured was discharged from the hospital. Considering the gravity of the offence, he strongly opposed to grant anticipatory bail to the petitioners.

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 arrest or on 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, Srivilliputhur, Virudhunagar District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 stay at Thirumangalam and report before the Thirumangalam Police Station daily at 10.00 am until further orders.



(c) the petitioners shall not tamper with evidence or 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 can be registered under Section 229-A IPC.

sd/-

02/11/2022

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

COPY TO:

THE INSPECTOR OF POLICE
THIRUMANGALAM POLICE STATION, THIRUMANGALAM.

ORDER

IN

CRL OP(MD) No.19328 of 2022
Date : 02/11/2022

SKN

SA/VR/SAR.3/18.11.2022/3P/5C