



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/11/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.20240 of 2022

1. Raja
 2. Nehru
 3. Kosalai
 4. Banupriya
 5. Kayalvizhi
 6. Rajakumari
 7. Natarajan
 8. Pavithra
 9. Yogamani
 10. Ramani
- ... Petitioners/Accused Rank not known

Vs

The State represented by
The Inspector of Police,
Melur Police Station,
Madurai District.
Crime No.643 of 2022

... Respondent/Complainant

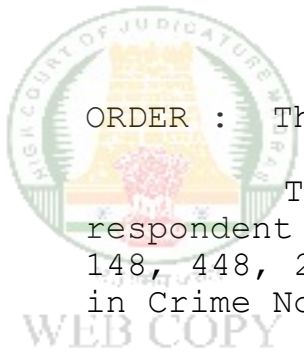
For Petitioners : M/s.Muthukamatchi.V,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 643/2022 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 offences punishable under Sections 147, 148, 448, 294(b), 323, 324, 506(ii) of IPC and Section 4 of TNWH Act in Crime No.643 of 2022, seek anticipatory bail.

2.The case of the prosecution is that on 01.11.2022, due to pathway dispute, the petitioners were came to the defacto complainant's house and attacked the defacto complainant, his family members and other two person and abused them in filthy languages. Apart from that, they have made life threat to the defacto complainant and his family members. Hence, the complaint.

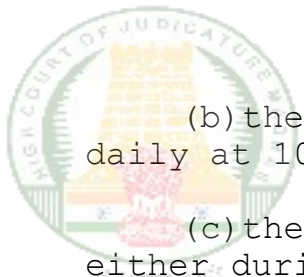
3. The learned counsel for the petitioners would submit that due to pathway dispute, this false complaint has made against the petitioners. The petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that a counter case in Crime No.642 of 2022 is pending against the de-facto complainant and others and the petitioners shall abide any condition imposed by this court and hence, they may be granted anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that it is a case and case in counter and the injured has already been discharged from the hospital and the petitioners are not having any bad antecedents. He would further submit investigation in this case is still pending. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and considering the fact that the injured has already been discharged from the hospital and also the facts that it is a case and case in counter and the petitioners are not having any bad antecedents, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Melur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 responder daily at 10.30 a.m., until further orders.

(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 can be registered under Section 229-A IPC.

sd/-

15/11/2022

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/11/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
MELUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
- 3 THE INSPECTOR OF POLICE
MELUR POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.MUTHUKAMATCHI V Advocate SR.No.13054

ORDER

IN

CRL OP(MD) No.20240 of 2022

Date :15/11/2022

SS/VR/SAR /24.11.2022/ 3P/ 6C