



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2022

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.22355 of 2022

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1.Manikandan
2.Suganya
3.Murali Krishnan

...Petitioners/Accused No.1 to 3

-Vs-

The State represented by
The Inspector of Police,
Palamedu Police Station,
Madurai District.
(Cr.No.215 of 2022)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioners on bail in the event of their arrest in connection with Cr.No.215 of 2022 on the file of the respondent Police.

For Petitioners : Mr.S.Muniyandi, Advocate

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

O R D E R

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC and Section 4 of TNPHW Act in Crime No.215 of 2022 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that due to money dispute, the accused persons have abused the de-facto complainant and attacked her by using hands and threatened her with dire consequence. Hence, the complaint.

3.The learned Counsel for the petitioners would submit that the petitioners are innocents and a false complaint has been given. He would also submit the petitioners owe money to the de-facto complainant and they have also paid most of the amount to the de-facto complainant and in order of pressure and recover money, false complaint has been given. He would also submit that the injured has been discharged from hospital.



4.The learned Government Advocate (crl.side) would submit that due to money dispute, the accused persons have abused the de-facto complainant and attacked her by using hands and threatened her with dire consequence. He would also submit that the injured has been discharged from hospital.

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5.Heard the learned Counsel. Taking into consideration the facts and submissions and also perusing the materials available on record including the F.I.R., 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 on which the order copy made ready, before the learned Judicial Magistrate, Vadipatti, Madurai District, on condition that the petitioners shall execute bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with one surety each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 first and third petitioners shall report before the respondent police everyday at 05.30 p.m., for a period of two weeks, thereafter every Saturday at 10.30 am until further orders. The second petitioner shall report before respondent police every at 10.30 am for a period of one week and thereafter, as and when required.

[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

19/12/2022

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/12/2022

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



1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
PALAMEDU POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S. MUNIYANDI.S Advocate SR.No.15146

ORDER

IN

CRL OP (MD) No.22355 of 2022
Date :19/12/2022

SA/SSS/SAR.1/23.12.2022/3P/6C