



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2022

PRESENT

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

CRL.O.P (MD) No.22293 of 2022

WEB COPY

- 1.Rajavelu
- 2.Chellam
- 3.Radhalakshmi

...Petitioners/Accused No.1,2&3

-vs-

- 1.The State represented by
The Inspector of Police,
Keelathuval Police Station,
Ramanathapuram District.
(Cr.No.164 of 2022)

...Respondents/Defacto Complainant

- 2 S.Murugavel

...Intervenin Petitioner/
Defacto 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.164 of 2022 on the file of the respondent Police.

For Petitioners : Mr.M.M.Manivelpandian

For Respondent : Mr.M.Veeranthiran
Government Advocate (Crl.side)

For Intervenor : Mr.P.Palani, Advocate

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), 341, 324 and 506(ii) of IPC in Crime No.164 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 previous enmity, on 12.12.2022 at about 06.00 am., the petitioners have abused and attacked the de-facto complainant with aruval and threatened him with dire consequences. 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 submit that though the de-facto complainant has been



discharged from the Government hospital, she has taking treatment in a private hospital. He would also submit that the petitioners are ready to abide by any stringent conditions that may be imposed on them.

4.The learned Government Advocate (crl.side) would submit that due to previous enmity, on 12.12.2022 at about 06.00 am., the petitioners have abused and attacked the de-facto complainant with aruval and threatened him with dire consequences.

5.The learned Counsel for the intervenor would oppose to grant anticipatory bail to the petitioners.

6.Heard the learned Counsel. Taking into consideration the facts and submissions and also on 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.

7.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, Mudukulathoor, 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 petitioners shall stay at Madurai report before the K.Pudur Police Station, Madurai, everyday 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]**.



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

sd/-

20/12/2022

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/ TRUE COPY /

/12/2022

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

TO

- 1.THE JUDICIAL MAGISTRATE, MUDUKULATHOOR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
KEELATHUVAL POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE INSPECTOR OF POLICE,
K.PUDUR POLICE STATION, MADURAI.

+1 CC to M/s.MANIVELPANDIAN.M.M, Advocate (SR-15273[I] dated
21/12/2022)

ORDER

IN

CRL OP(MD) No.22293 of 2022

Date :20/12/2022

RK/VR/SAR-2 (28/12/2022) 3P/7C