



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/12/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.22787 of 2022

1. V.M.Palanichamy
2. S.Chandra Leela

... Petitioners/Accused 1-2

Vs

The State Rep. by,
The Sub Inspector of Police,
Ambilikkai Police Station,
Ambilikkai, Dindigul District.
(Crime No.180 of 2022).

... Respondent/Complainant

For Petitioners : Ms. Sureshkumar.S.R,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.180 of 2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), (*) 324 and 506(ii) of IPC in Crime No.180 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 family dispute the petitioners herein abused the defacto complainant, assaulted him and also threatened with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them. He would further submit that injured has been discharged from the hospital. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate(Crl.Side) appearing for the respondent would submit due to family dispute the petitioners herein abused the abused the defacto complainant, assaulted him and also threatened with dire consequences. Hence he opposed to grant anticipatory bail to the petitioners. However he fairly concedes that the injured has been discharged from the hospital and no previous case pending against the petitioners.

5. Heard. Perused the materials available on record including the First Information Report.

6. Taking into consideration the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, 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, Oddanchatram**, on condition that each of the petitioners shall execute a separate 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 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 report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter on every Saturday at 10.30 am., 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/-
22/12/2022

WEB COPY

(*) AMENDED AS PER ORDER OF THIS COURT
DATED 12.01.2023 IN CRL MP(MD) No. 743 of
2023 IN CRL OP(MD) No. 22787 of 2022

TIME GRANTED BY THIS COURT TO COMPLY WITH
THE CONDITION IMPOSED VIDE ORDER DATED
22.12.2022 IN CRL.O.P. (MD) NO. 22787 OF 2022
IS EXTENDED FOR A PERIOD OF TWO WEEKS FROM
THE DATE OF RECEIPT OF AMENDED COPY OF
THIS ORDER.

/ TRUE COPY /

/01/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 22/12/2022 ALREADY DESPATCHED

1. THE JUDICIAL MAGISTRATE,
ODDANCHATRAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
AMBILIKKAI POLICE STATION, AMBILIKKAI,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No. 22787 of 2022
Date : 22/12/2022

USK/MMS/SAR-I/27.12.2022/3P/5C

RK/MMS/SAR3(30.01.2023) 3P/5C

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