



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2023

PRESENT

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

CRL.O.P(MD)No.1047 of 2023

WEB COPY

- 1.Sivalingam
- 2.Ilango @ Ilangovan
- 3.Panjammal @ Panjavarnam
- 4.Manikandan
- 5.Nallammal

...Petitioners/Accused No.1 to A5

-vs-

State represented by  
The Inspector of Police,  
Keela Paralachi Police Station,  
Virudhunagar District.  
(Cr.No.7 of 2023)

...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. 7 of 2023 on the file of the respondent Police.

For Petitioners : M/s.A.Dharani, Advocate.

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

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ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 174, 294(b), 323, 427, 448, 506(2) IPC and Section 4 of TN Prohibition of Harassment of Women Act in Crime No.7 of 2023 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, the accused went to the house of the defacto complainant and assaulted her and her husband with hands due to which they sustained injuries. Hence, the complaint.

3.The learned Counsel for the Petitioners would submit that the petitioners are innocents. He would also submit that originally the defacto complainant has attacked the petitioners but a false complaint has been given. He prays for grant of anticipatory bail to the petitioners.



4.The learned Government Advocate (crl.side) would submit that the injured have been discharged from the hospital and he opposes to grant anticipatory bail.

5.Heard the learned Counsel. Taking into consideration the facts and circumstances of the case, 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, Arupukkottai, on condition that the petitioners shall execute bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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., 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/-

20/01/2023

/ TRUE COPY /

/01/2023

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

CM

<https://www.mhc.tn.gov.in/judis>



TO

1 THE JUDICIAL MAGISTRATE,  
ARUPPUKOTTAI.

2 -DO- THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE  
KEELA PARALACHI POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.DHARANI A Advocate SR.No.961(I)

ORDER

IN

CRL OP(MD) No.1047 of 2023

Date :20/01/2023

VA/VR/SAR-3/31.01.2023/3P/6C