



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2023

PRESENT

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

CRL.O.P(MD)No.1245 of 2023

1.Arumaidurai
2.Ravichandran
3.C.Manmathan
4.A.Karthi
5.Senthilnathan
6.Pitchaimani
7.Devi
8.Devaraj

...Petitioners/A1 to A8

-vs-

The State represented by
The Sub Inspector of Police,
D3 Koodalpudur Police Station (L and O),
Madurai City.
(Cr.No.58 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.58 of 2023 on the file of the respondent Police.

For Petitioners	: Mr.A.B.Jeeva
For Respondent	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.side)

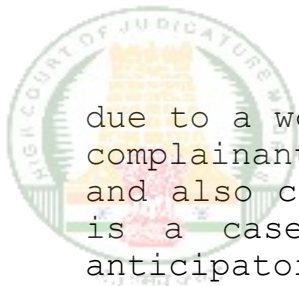
ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC and Section 4 of TNPHW Act in Crime No.58 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 that due to a wordy quarrel, the accused persons have abused the de-facto complainant in filthy language and assaulted him with stone and hand and also criminally intimidated him. 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 that the petitioners have not committed any offence as alleged by the prosecution and would further submit that it is a case and case in counter and on the basis of the complaint given by the petitioners' side, a case in Cr.No.57 of 2023 came to be registered against the de-facto complainant's side. He would pray for anticipatory bail to the petitioners.

<https://www.mhc.tril.gov.in> The learned Government Advocate (crl.side) would submit that



due to a wordy quarrel, the accused persons have abused the complainant in filthy language and assaulted him with stone and hand and also criminally intimidated him. He would also submit that it is a case and case in counter and would oppose for grant of anticipatory bail to the petitioners.

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5. 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.

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 Court No.4, Madurai, 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 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/-

23/01/2023

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/02/2023

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



TO

1 THE JUDICIAL MAGISTRATE NO.IV,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE SUB INSPECTOR OF POLICE
D3 KOODALPUDUR POLICE STATION (L AND O)
MADURAI CITY.

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

+1. CC to M/S.JEEVA.A.B. Advocate SR.No.1039

ORDER

IN

CRL OP(MD) No.1245 of 2023

Date :23/01/2023

SS/SSS/SAR II/30/01/2023/ 3P 6C