



WEB COPY

CRL OP(MD).



23

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

Date : 06/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4267 of 2023

1. Chinaraj @ Chinrasu,
2. Kashthuri,
3. Patchaiyamma,
4. Ramalingam,
5. Maruthakalai,
6. Veeramani,
7. Ramesh,
8. Thiyagu @ Thiyagarajan,
9. Vinoth @ Vinothkumar,
10. Ettaiya @ Ernest,
11. Muruganantham Alias Murugesan,
12. Ponnar @ Ponnuchamy ... Petitioners / Accused No.3 to 14

Vs

The State Represented by
The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.
(Crime No. 41/2023.)

... Respondent / Complainant

For Petitioners : M.P.Roniga,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

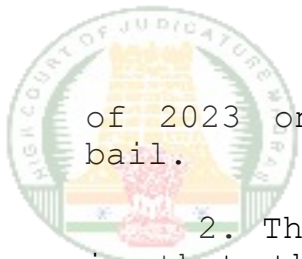
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 41 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 149, 302, 294(b), 324, 379(NP) and 506(ii) of I.P.C., in Crime No.41



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 the petitioners herein abused the defacto complainant in filthy language and also assaulted him with aruval and stones and criminally intimidated him.

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 the injured has been discharged from the hospital.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the injured has been discharged from the hospital

5. Taking into consideration the facts and circumstances of the case and also taking note of 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.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Dindigul District on condition that the petitioners shall execute a 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

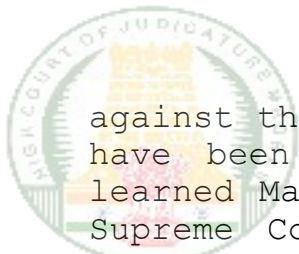
(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

06/03/2023

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

AAV

TO

1.The Judicial Magistrate No.III,
Dindigul.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to M.P.RONIGA Advocate SR.No.3405

ORDER

IN

CRL OP(MD) No.4267 of 2023

Date :06/03/2023

ED/SBN/SAR- (09/03/2023) 3P 6C