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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/04/2023

PRESENT

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

CRL OP(MD) . No.6168 of 2023

1.Leelavathi
2.Boopathy
3.Thirukumaran
4.Arumugam
5.Kuppathai
6.Selvi
7.Chandralekha

... Petitioners/A1 to A7

Vs

The State rep., by
The Inspector of Police,
Keeranur Police Station,
Dindigul District,
Crime No.33 of 2023.

... Respondent/Complainant

For Petitioners	: Mr.T.Leninkumar
For Respondent	: Mr.B.Thanga Aravindh Government Advocate (Crl.side)
For Intervenor	: Mr.G.Karuppasamy Pandian

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

PRAYER :-

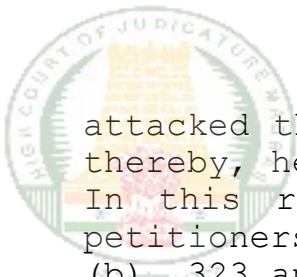
For Anticipatory Bail in Crime No.33 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/A1 to A7, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 294(b) and 506(i) of I.P.C in Crime No.33 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the electricity pole was erected in the land belonging to the defacto complainant's mother, the petitioners prevented that and also abused the defacto complainant with filthy language. Hence, the complaint.

3. The learned counsel appearing for the intervenor submitted that subsequent to the aforesaid occurrence, again, the petitioners



attacked the defacto complainant, who is practising an Advocate and thereby, he sustained injuries and taking treatment in the hospital. In this regard, Crime No.57 of 2023 was registered against the petitioners for the offence punishable under Sections 147, 341, 294 (b), 323 and 506(ii) of IPC.

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4. Heard both side and perused the materials available on record including the First Information Report.

5. Taking into consideration of the facts and circumstances of the case and also the fact that in so far as the present case is concerned, FIR was registered only for offences under Sections 294 (b) and 506(i) of IPC. Therefore, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions. In so far as Crime No.57 of 2023 is concerned, there is no impediment for the respondent to proceed as against the petitioners.

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, Palani, 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 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 daily at 10.30 am., 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 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/-
03/04/2023

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

TO

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

+1. CC to T.LENIN KUMAR Advocate SR.No.5419

ORDER
IN
CRL OP(MD) No.6168 of 2023
Date :03/04/2023

SS/VR/SAR I/11/04/2023/3P/6C