



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13.04.2023
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.6863 of 2023

1.Vijayakumar
2.Ramu
3.Manokaran

... Petitioners/A1, A3 & A5

Vs

The State rep.by
The Inspector of Police,
Natham Police Station,
Dindigul District.
Crime No.81 of 2022

... Respondent/Complainant

For Petitioner : Mr.S.ARJUN
Advocate.

For Respondent : Mr.B.THANGA ARAVINDH
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.81 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1, A3 and A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 354, 427 and 506(i) IPC, in Cr.No.81 of 2022, seek anticipatory bail.

2.The case of the prosecution is that due to money dispute, the petitioner along with other accused have scolded the de-facto complainant in filthy language and attacked her and her family members. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that no one has been injured in this case and that the petitioners are having no previous case.



5.Considering the facts that the FIR came to be registered in the year 2022, that no one has been injured in this case and also the fact that the petitioners are not having any previous case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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6.Accordingly, the petitioners shall pay a sum of Rs.1,000/- (Rupees One Thousand only) each to the credit of Crime No.81 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Natham, without prejudice to their rights and contentions.

7.On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Natham, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 one month 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]**; and;

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

sd/-

13/04/2023

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



1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
NATHAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
NATHAM POLICE STATION,
DINDIGUL DISTRICT.

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

**ORDER
IN**

CRL OP(MD) No.6863 of 2023
Date :13/04/2023

SA/BUC/SAR.1/24.04.2023/3P/5C