



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25.04.2023
PRESENT

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

CRL OP(MD) . No.7639 of 2023

1.Kanagavel
2.Sivapackiyam
3.Gomathi
4.Kasimurugan

... Petitioners/Accused 1 to 4

Vs

The State rep., by
The Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District.
Crime No.216 of 2022

... Respondent/Complainant

For Petitioners : Mr.R.Shankar Ganesh, 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.216/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 323 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.216 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to money dispute, the petitioners have attacked the defacto complainant and his wife and also abused them in filthy language. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and their names have been falsely implicated in this case.

4. The learned Government Advocate (crl.side) would submit that totally four accused involved in this case and the injured was discharged from the hospital.



5. Heard both sides and perused the materials available on record including the First Information Report.

6. Taking into consideration of the facts and circumstances of the case and also 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:

7. 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 Additional Mahila Court (Judicial Magistrate Level), Ramanathapuram, 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 Manamadurai Police Station daily at 10.30 am., 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

25/04/2023

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/05/2023

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



1 THE ADDITIONAL MAHILA JUDGE
(JUDICIAL MAGISTRATE LEVEL), RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUPULLANI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
MANAMADURAI.

+1. CC to Mr.R.SHANKAR GANESH Advocate SR.No.6551

ORDER

IN

CRL OP(MD) No.7639 of 2023

Date :25/04/2023

SA/SSS/SAR.2/04.05.2023/3P/7C