



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04.05.2023
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No. 8466 of 2023

1.Lakshmi
2.Vaidegi
3.Ayammal Pappanan
4.Ramanathan
5.Sathish

... Petitioners/Accused 1 to 5

6.Nallakumar

... Petitioners/Accused 7

Vs.

State rep. by
The Inspector of Police,
Sholavandan Police Station,
Madurai District.
(Crime No.101 of 2023)

... Respondent/Complainant

For Petitioner : Mr.MICHEAL SEBASTIN
Advocate.

For Respondent : Mr.M.MUTHUMANICKAM
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.101 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 324, 448, 506(ii) IPC and under Section 4 of Tamilnadu Prohibition of Women Harassment Act, in Crime No. 101 of 2023, seek anticipatory bail.

2. The allegation against the petitioners is that due to family dispute the petitioners have attacked the defacto complainant and also abused him in filthy language and threatened him with dire consequences. A case in Crime No.101 of 2023, was registered against the petitioners.

3. On the side of the petitioners, it is stated that due to family dispute, a false case was registered against the petitioners



and it is a case of case and counter and prayed the petitioners to be released on anticipatory bail.

4. On the side of the prosecution, it is stated that the petitioners are A1 to A5 and A7 and it is a family dispute between the family members and a counter case was registered against the defacto complainant and others. The injured was discharged from the hospital.

5. Considering the nature of the offence and considering the fact that the injured was discharged from the hospital and there is a counter case is pending, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this petition is allowed and 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 Court, Vadipatti, Madurai 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 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 4 weeks and thereafter, as and when required;

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

(d) the petitioners shall be present before the Court on hearing dates and before the respondent police as and when required;

(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 FII registered under Section 229-A IPC.

sd/-

04/05/2023

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

TRP

TO

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

+1. CC to M/S.MICHEAL SEBASTIN Advocate SR.No.7179

ORDER

IN

CRL OP(MD) No.8466 of 2023

Date :04/05/2023

SA/BUC/SAR.3/10.05.2023/3P/6C