



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/05/2023
PRESENT

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The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8732 of 2023

1. Ganesan,
2. Asaiponnu,
3. Deepika,
4. Chellapandi,
5. Kalaiyarasi,
6. Loganathan,
7. Radhakrishnan @ Rajakrishnan,
8. Sundari, ... Petitioners/Accused 1-4 & 6-9

Vs

The State rep.by
The Inspector of Police,
Natham Police Station,
Dindigul.
Cr.No.125/2023.

... Respondent/Complainant

For Petitioners : M/s.T.VADIVELAN,
Advocate.

For Respondent : Mr.M.SAKTHI KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 125/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 447, 294(b) and 506(ii) IPC in Crime No.125 of 2023, seeks anticipatory bail.



2.The case of the prosecution is that due to property dispute, the petitioners said to have attacked the defacto complainant and also abused him in filthy language. Hence, the complaint.

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3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that it is a case of civil dispute and no one has sustained injury and the investigation of the case is almost completed.

5. Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is allowed and 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Natham on condition that the each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (of which one shall be a blood related surety) 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police twice a week i.e., on every Tuesday and Sunday and 10.30 am for a period of three months and thereafter, as and when required for interrogation.

[c]the petitioners shall not tamper with the 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



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learned Magistrate/Trial Court himself as laid down by the Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

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

TRP

TO

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

ORDER

IN

CRL OP(MD) No.8732 of 2023

Date :17/05/2023

SA/CG/SAR.4/22.05.2023/3P/5C