



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 24.05.2023

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI
CRL OP(MD) . No.9435 of 2023

WEB COPY

1.Arjunan
2.Dhanapal

... Petitioners/Accused Nos.1 & 2

Vs

State represented by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.88 of 2023)

... Respondent/Complainant

For Petitioners : Mr.P.Saravanan, Advocate.
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.88 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/accused 1 and 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(2) IPC, in Crime No.88 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, on 03.05.2023, the petitioners had abused the defacto complainant in filthy language, attacked him by using knife and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured has already been discharged from the hospital and that the petitioners are not having any previous cases.

5. Taking into consideration the facts and circumstances of the case and also the facts that the injured has already been discharged



from the hospital and that the petitioners are not ha...y
previous cases, this Court is inclined to grant anticipatory bail to
the petitioners with certain conditions.

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 of receipt of a copy of this order,
before the learned Judicial Magistrate Court, Thiruchuli,
Virudhunagar 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 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
daily at 10.30 a.m., for a period of 30 days 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 are 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 229-A IPC.

sd/-

24/05/2023

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/05/2023

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

CSM

TO

1 THE JUDICIAL MAGISTRATE, THIRUCHULI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE, THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD).



23

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

+1 CC to M/s.SARAVANAN.P, Advocate (SR-7818[I] dated 24/05/2023)

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ORDER

IN

CRL OP (MD) No.9435 of 2023

Date :24/05/2023

RS//SAR-(29.05.2023) 3P 6C