



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/05/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9567 of 2023

1.Vasuki.P

(*)2.P.Chinnapandi @ Aadhavan

3.Manikandan.P

4.P.Harivignesh @ Vikki

5.Priya.M

6.Muneeswari.M

... Petitioners/Accused Nos.1 to 6

Vs

State, represented by
The Inspector of Police,
Annanagar Police Station,
Madurai City
Crime No.284/2023

... Respondent/Complainant

For Petitioners : Mr.Thirumurugan.T,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate(Crl. Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.284/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused Nos.1 to 6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324 and 506(ii) of IPC in Crime No.284 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were grabbed the defacto complainant's property, when it was questioned by her, the petitioners were abused and attacked the defacto complainant's son with bricks. In view of the above said property dispute, they have also threatened the defacto complainant and their 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. Further, he submitted that it is a case and counter case.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured was already 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 was already discharged from the hospital and that the petitioners are not having any 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 No.VI, Madurai, 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 15 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 registered under Section 229-A IPC.

sd/-
24/05/2023

(*)Amended as per order of the Court dated
14.06.2023 in CRL MP(MD).8145/2023 IN CRL OP
(MD).9567/2023

Further two weeks time is granted to the petitioner to comply with the conditions imposed by this Court from the date of receipt of a copy of this order as last chance.

/ TRUE COPY /

/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON 24.05.2023

- 1.The learned Judicial Magistrate No.VI,
Madurai.
- 2.Do through the Chief Judicial Magistrate,
Madurai.
- 3.The Inspector of Police,
Annanagar Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.THIRUMURUGAN.T, Advocate (SR-7877[I] dated 25/05/2023)

ORDER
IN
CRL OP(MD) No.9567 of 2023
Date : 24/05/2023

NA/MMS/SAR-4/29.05.2023/3P/6C
LS
PKP/CG/SAR- /21.06.2023/ 3P/6C

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