



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

Date : 14/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.10383 of 2023

WEB COPY

1. Rajaram

2. Balamurugan

3. Mookammal

4. Muniswari

... Petitioners/Accused No.1 to 4

Vs

The State Rep.by
The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.

(crime no.144 of 2023)

... Respondent/Complainant

For Petitioners : M/s.Arjunan P,
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.144 of 2023 on the file of
the respondent police

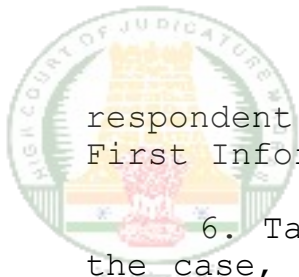
ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of
the respondent police for the offences punishable under sections
294(b), 323, 506(i) of I.P.C. and Section 4 of TNPHW Act, in Crime
No.144 of 2023 on the file of the respondent police, seek
anticipatory bail.

2. The case of the prosecution is that due to money dispute
the petitioners abused the defacto complainant and also assaulted
her.

3. The learned counsel for the petitioners would submit
that the petitioners are innocent persons and a false case has been
foisted against them.

4. Heard the learned counsel for the petitioners and the
Additional Public Prosecutor (Crl.Side) appearing for the



respondent Perused the materials available on record including First Information Report.

6. Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Peraiyur, 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 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 petitioner 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 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

14/06/2023

/ TRUE COPY /

/ 06 /2023

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



TO

1. The Judicial Magistrate,
Peraiyur, Madurai District
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.10383 of 2023
Date :14/06/2023

RD/AR (20/06/2023) 3P 5C