



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/06/2023

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.10564 of 2023

1. Ramapandiyan,
2. Harikrishnan @ Arikrishnan,
3. Sakthivel, ... Petitioners/Accused Nos. 1 to 3

Vs

State Rep.by
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
(Crime No.124 of 2023). ... Respondent/Complainant

For Petitioners : M/s.Muthuvai Ilayaraja K,
Advocate.
For Intervenor : Mr. M.Dinesh Hari Sudarshan
Advocate
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

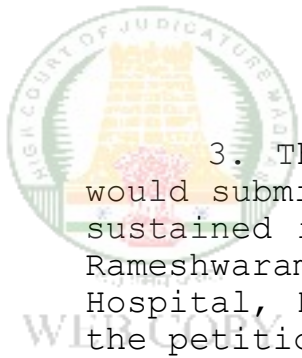
PRAYER :-

For Anticipatory Bail in Crime No.124 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 448,427,294(b),323,324,354 and 506(i) of I.P.C in Crime No. 124 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the accused persons abused the defacto complainant in filthy language and also assaulted her. Further the accused persons also caused damage to the properties which belongs to defacto complainant, hence the case.



3. The learned counsel appearing for the defacto complainant would submit that because of this occurrence the defacto complainant sustained injuries and she was admitted in the Government Hospital, Rameshwaram and thereafter she was admitted in the Meenakshi Mission Hospital, Madurai, hence he objected to grant anticipatory bail to the petitioners.

4. Heard both side and perused the materials available on record including the First Information Report.

5. It is seen that both the family members of close relatives and there was civil dispute between them. Further the injured was taking treatment in the private hospital. Taking into consideration all the above facts and circumstances of the case 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 on which the order copy made ready, before the learned Judicial Magistrate, Kadaladi 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 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 stay at karur report before the Karur Police Station daily at 10.30 am., and 5.30 pm., for a period of four weeks and thereafter 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 imposed and the petitioners released on bail by the



learned Magistrate/Trial Court himself as laid down by the 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.

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

AAV

TO

- 1 THE JUDICIAL MAGISTRATE,
KADALADI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE INSPECTOR OF POLICE
KARUR POLICE STATION, KARUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.MUTHUVAI ILAYARAJA, Advocate (SR-8948[I] dated 16/06/2023)

ORDER
IN
CRL OP(MD) No.10564 of 2023
Date :15/06/2023

PKP/MMS/SAR- /20.06.2023/ **3P/7C**