



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

Date : 23/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.11302 of 2023

WEB COPY

1. Muthukumaran @ Muthukumaravel,
2. Vimala, ... Petitioners/Accused No.1 & 2

Vs

The State Rep.by
The Inspector of Police,
T.Kallupatti Police Station
Madurai District
(Crime No.164 of 2023).

... Respondent/Complainant

For Petitioners : M/s.Susikumar.C,
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.164 of 2023 on the file of
the respondent police

ORDER : The Court made the following order :-

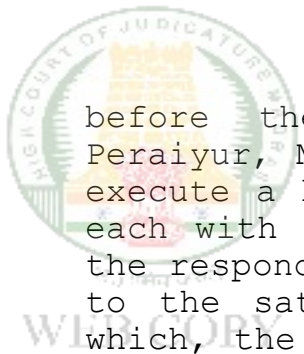
The petitioners/Accused who apprehend arrest at the hands
of the respondent police for the offences punishable under sections
294(b), 323 and 506(i) of I.P.C in Crime No. 164 of 2023 on the file
of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant
is that due to land dispute petitioners herein abused and assaulted
the defacto complainant and also threatened with dire consequences,
hence the case.

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

4. Taking into consideration of the facts and circumstances of
the case and also the fact that the injured was treated as out
patient, this court is inclined to grant anticipatory bail to the
petitioners , with certain conditions:

5. Accordingly, the petitioners are ordered to be released on
bail in the event of arrest or on their appearance, within a period
of 15 days from the date on which the order copy made ready,



before the learned District Munsif cum 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 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 first petitioner alone 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/-

23/06/2023

/ TRUE COPY /

/ 07 /2023

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

AAV

TO

1. The District Munsif cum Judicial Magistrate,
Peraiyur, Madurai District.

2. -do-Through The Chief Judicial Magistrate,
Madurai District.

<https://www.mhjudis.org/>



3. The Inspector of Police,
T.Kallupatti Police Station
Madurai District .

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-9732[I] dated 27/06/2023)

ORDER

IN

CRL OP(MD) No.11302 of 2023

Date :23/06/2023

RD (04/07/2023) 3P 6C