



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2023

PRESENT

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

CRL OP(MD). No.11960 of 2023

1. Krishnaveni

2. Veerammal

3. Gopi

4. Gopika

... Petitioners/Accused No.1 TO 4

Vs

The State represented by
The Inspector of Police,
Annavaasal Police Station,
Pudukkottai District.
Crime No.145/2023.

... Respondent/Complainant

For Petitioner : M/s Ganapathi Subramanian.P,
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.145 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(2) of I.P.C., in Crime No.145 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to dispute between the parties with regard to grazing of cattle, on 04.06.2023 at about 06.30 a.m., when the de-facto complainant was returning home after completing his routine activities, A1 obstructed the de-facto complainant, abused him in filthy language. When it was questioned



by the de-facto complainant, all the petitioners attacked the de-facto complainant and his wife by using aruvai and broomstick and threatened with dire consequences. Hence, the case.

3. Heard. Perused the materials available on record including the First Information Report. It is reported that the injured has been discharged from the hospital and no previous case is pending against the petitioners.

4. Taking into consideration of the facts and circumstances of the case and also the facts that the injured has already been discharged from the hospital and no previous case is pending against the petitioners, 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 fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Illupur, 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 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/-

30/06/2023

/ TRUE COPY /

/07/2023

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



1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, ILLUPUR, PUDUKKOTTAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
ANNAVASAL POLICE STATION, PUDUKKOTTAI DISTRICT.

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

ORDER
IN
CRL OP (MD) No.11960 of 2023
Date :30/06/2023

SS/11/07/2023/3P/5C