



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.06.2023

PRESENT

WEB COPY

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

CRL OP(MD) . No.11929 of 2023

1.K.Manathdurai
2.A.Muthu
3.K.Kannan Karuppu @ Veeranan
4.K.Panchavarnam
5.K.Priya
6.Poomahthi ... Petitioners/Accused Nos.1 to 6

Vs

The State of Tamil Nadu,
Represented by the Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.362 of 2023).
... Respondent/Complainant

For Petitioners: Mr.G.Kaleeswaran

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

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

PRAYER :-

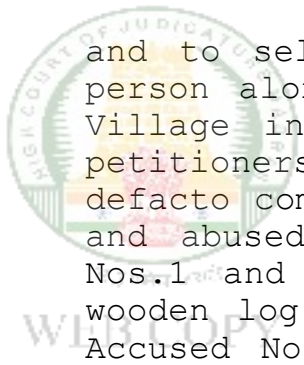
For Anticipatory Bail in Crime No.362 of 2023 on the file of the respondent police.

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, 148, 294(b), 323, 324 and 506(ii) of I.P.C in Crime No.362 of 2023 on the file of the respondent police, seek anticipatory bail.

<https://www.mhc.tn.gov.in/judis> 2. The case of the prosecution is that the defacto complainant and all accused persons went to catch fish in Paramakudi





and to sell the same in the market. While so, when the person along with the defacto complainant were returning Village in a Van, the van driver without the permission of the petitioners took the fish. Hence, the accused persons questioned the defacto complainant about how he can permit the driver to take fish and abused the defacto complainant in a filthy language Accused Nos.1 and 2 assaulted the defacto complainant with a stick and wooden log and Accused Nos.3 and 4 assaulted with their hands and Accused Nos.5 and 6 pulled the hair of the defacto complainant's mother and pushed her down and kicked her and caused criminal intimidation. Hence, the complaint.

3.Heard the learned counsel appearing on either side and perused the materials available on record, including the First Information Report.

4.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal Side) that the injured has been discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions:

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, Melur, 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 1 to 3 shall report before the respondent Police daily at 10.30 a.m for a period of four weeks and thereafter, as and when required for interrogation and the petitioners 4 to 6 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 Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SC 1000]**.
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.



sd/-
30/06/2023

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/ TRUE COPY /

/07/2023

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

TO

1 THE JUDICIAL MAGISTRATE, MELUR.

3 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.KALEESWARAN G Advocate SR.No.10135

ORDER
IN
CRL OP (MD) No.11929 of 2023
Date : 30/06/2023

MGJ(07.07.2023) 3P 6C