



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.06.2023

PRESENT

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

CRL OP(MD). No.11990 of 2023

1.Ashok Kumar
2.Pandi
3.Ayyasamy
4.Bakiyaraj
5.Subramani

... Petitioners 1 to 5/
Accused(Rank Not Known)

Vs

State represented by,
The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
(Crime No.161 of 2023)

... Respondent/Complainant

For Petitioners: Mr.K.C.Maniyarasu

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

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

PRAYER :-

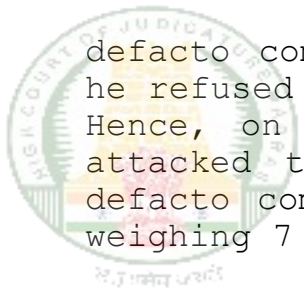
For Anticipatory Bail in Crime No.161 of 2023 on the file of the respondent police.

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 147, 447, 427, 323, 324, 506(2), 379, 363, 511 and 307 of I.P.C in Crime No.161 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first accused one Prabhu had fallen in love with the defacto complainant's sister. Though on several occasions, the first accused approached the





defacto complainant for marrying the defacto complainant's sister, he refused to arrange marriage with his sister to the first accused. Hence, on 13.06.2023, the first accused along with other accused attacked the defacto complainant and his mother and damaged the defacto complainant's house and had stolen his mother's gold chain weighing 7 sovereigns. 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. It is seen that the petitioners are arraigned as Accused Nos. 6 to 10 and they along with other accused trespassed into the house of the defacto complainant and damaged the household articles for the reason that they refused to get marry the defacto complainant's sister to the first accused.

5. Considering the facts and circumstances of the case and also considering the fact the petitioners damaged the household articles of the defacto complainant, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners shall deposit a sum of Rs. 5,000/- (Rupees Five Thousand Only) each to the credit of Crime No. 161 of 2023 on the file of the respondent Police, before the learned Judicial Magistrate, Karambakudi, Pudukottai District and on such deposit, 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, Karambakudi, Pudukottai, 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 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.

[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]** .



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/06/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE
KARAMBAKUDI POLICE STATION
PUDUKKOTTAI DISTRICT.
- 2 THE JUDICIAL MAGISTRATE,
KARAMBAKUDI,
PUDUKOTTAI.
- 3 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11990 of 2023
Date :30/06/2023

MGJ(07.07.2023) 3P 5C