



WEB COPY

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

Date : 29/08/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.15674 of 2023

1. Kumaravel

2. Kamalapriya

... Petitioners/ Accused not known

Vs

The State represented by
The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
Crime No.601 of 2021..

... Respondent/Complainant

For Petitioners : M/s.Jameel Arasu B,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.601 of 2021 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 IPC in

Crime No.601 of 2021 on the file of the respondent police, seek anticipatory bail.



WEB COPY

2. The case of the prosecution is that due to previous enmity the petitioners on 07.11.2021 at about 7.30 p.m., assaulted the defacto complainant and caused injuries and also criminally intimidated him, hence the case.

3. The learned counsel for the petitioners would contend that the respondent police has foisted a false case against them and they have not committed any offence as alleged in the First Information Report, hence he seeks anticipatory bail.

3. The learned Additional Public Prosecutor would submit that investigation has been completed and the case was taken on file in C.C. No.189 of 2023 and Non Bailable Warrant is pending against the petitioners, hence he objected to grant anticipatory bail to the petitioners. The learned Additional Public Prosecutor brought to the knowledge of the Court that the name of the second petitioner is Sangeetha but in the petition it has been stated as Kamalapriya.

4. In reply the learned counsel for the petitioner submitted that the original name of the petitioner is Kamalapriya and her nick name is Sangeetha. The submission of the learned counsel for the petitioners is hereby recorded.



5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side and considering the fact the investigation has been completed and the case was taken on file in C.C. No.189 of 2023 this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. 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, Alangudi, Pudukottai District on condition that the petitioner 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the concerned Jurisdictional Magistrate on the first working day of every English Calendar month at 10.00 am., for a period three months.



WEB COPY

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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].

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

sd/-
29/08/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ALANGUDI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.



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

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

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-12951[I] dated 30/08/2023)

ORDER
IN
CRL OP(MD) No.15674 of 2023
Date :29/08/2023

SS/DD/05/09/2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023