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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.08.2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD)No.15726 of 2023

1.Meenakshisundaram

2.Sivakumar

3.Naveen

... Petitioners/ Accused No.1,2 & 3

Vs

The State represented by
The Inspector of Police,
Vadamadurai Police Station,
Dindigul
Crime No.272 of 2023

... Respondent/Complainant

Selvaganesh

... Petitioner/Defacto Complainant
in CRL MP(MD)No.12653 of 2023

For Petitioners : Mr.G.Karuppasamy Pandiyan, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

For Intervenor : Mr.D.Arul Joseph, Advocate

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



PRAYER :-

For Anticipatory Bail in Crime No.272 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 448, 294(b), 506(i) and 427 IPC in Crime No.272 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are belonging to the same political party. Due to some issue, the petitioners went to the office of the defacto complainant and criminally intimidated him and also caused damage to some chairs. Hence the case.

3.The learned counsel for the petitioners would contend that the petitioners are innocent persons and they have been falsely implicated in this case. Originally, the defacto complainant received a sum of Rs.17,00,000/- from the third petitioner herein by assuring government job. However, he failed to secure any job and also refused to return the money. Therefore, there was a wordy quarrel arose between them, for which, the present false complaint has been foisted as against the petitioners. Hence, he prayed for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that no one was injured in the alleged occurrence and no previous case pending as against the



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

6. Considering the rival submissions on either side and considering the fact that the no one was injured in this case and also considering the fact that except 506(i) of IPC other offences are bailable in nature, 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 Judicial Magistrate, Veda sandur, 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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



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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/-
31/08/2023

/ TRUE COPY /

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

GNS

TO

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

+1. CC to M/S.D.ARUL JOSEPH, Advocate SR.No.41380(F)



WEB COPY +1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-13031[I] dated 31/08/2023)

ORDER
IN
CRL OP(MD) No.15726 of 2023
Date :31/08/2023

SS/VR/08/09/2023/5P/7C

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