



CRL OP(MD)No.15900 of 2023

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

Date : 01.09.2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD)No.15900 of 2023

M.Pandi

... Petitioner/ Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Kallikudi Police Station,
Madurai District.
(Crime No.174 of 2023)

... Respondent/Complainant

For Petitioner : Mr.B.Munneeswaran,
Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.174 of 2023 on the file of the respondent police



CRL OP(MD)No.15900 of 2023

ORDER : The Court made the following order :-

WEB COPY

The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 & 355 IPC r/w Section 4 of TNPHW Act in Crime No.174 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother of the petitioner herein. Due to family dispute, the petitioner and his wife abused the defacto complainant in filthy language and also assaulted her. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that due to family dispute, the petitioner and his wife abused and attacked the defacto complainant and investigation in this case is pending. The injured person has been discharged from the hospital and the petitioner is not having any previous cases.



CRL OP(MD)No.15900 of 2023

WEB COPY

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 injured person has already been discharged from the hospital and also considering the fact that there is no previous case pending as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court, Tirumangalam, Madurai District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.



CRL OP(MD)No.15900 of 2023

WEB COPY

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

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-
01/09/2023

/ TRUE COPY /

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

gns



CRL OP(MD)No.15900 of 2023

TO
WEB COPY

1.THE JUDICIAL MAGISTRATE COURT,
TIRUMANGALAM,
MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

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

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

+1 CC to M/s.B.MUNEESWARAN, Advocate (SR-13065[I] dated 01/09/2023)

ORDER
IN
CRL OP(MD) No.15900 of 2023
Date :01/09/2023

RK /VRS(11/09/2023) 5P / 6C

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