



CRL OP(MD). No.17563 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.17563 of 2023

1.Karuppasamy

2.Muthulakshmi

3.Mariyappan

4.Mariyammal

5.Manojkumar

... Petitioners/ Accused Rank not known

Vs

State Represented by,
The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.

(Crime No.not known of 2023). ... Respondent/Complainant

For Petitioner : Mr.T.Kanagaraj,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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



CRL OP(MD). No.17563 of 2023

PRAYER:-

For Anticipatory Bail in Crime No.not known of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused rank not known who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(i) IPC in Crime No.not known of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there is dispute over path way is pending between the petitioners and the defacto complainant. During the survey of the said pathway by the Surveyor, there was wordy quarrel between the defacto complainant and the petitioners. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the petitioners are innocent and they did not commit any such offences as alleged by the prosecution.

4. The learned Additional Public Prosecutor would submit that there is no injured in this case. Further, the First Information Report in Crime No.281 of 2023 has been registered for the offences under Section 147, 294(b), 506 (I) of IPC against the six persons.

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



CRL OP(MD). No.17563 of 2023

6. Considering the submissions on either side and considering the nature of offence and there is no injured in this case, except 506(i) IPC, all other offences are bailable in nature, 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 learned Judicial Magistrate, Sankarankovil, Tenkasi 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 on every Saturday at 10.00 am., for the period of four weeks and thereafter, as and when required for interrogation.

[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



CRL OP(MD). No.17563 of 2023

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/-/-
29/09/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL, TENKASI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KARIVALAMVANTHANALLUR POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.T.KANAGARAJ, Advocate (SR-14463[I] dated 29/09/2023)



WEB COPY



CRL OP(MD). No.17563 of 2023

ORDER
IN
CRL OP(MD) No.17563 of 2023
Date :29/09/2023

SS/DD/05/10/2023/5P/6C

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