



CRL.O.P.(MD).No.17694 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date: 05.10.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

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- 1.A.Muthaiah
- 2.P.Nagavalli
- 3.A.Valli
- 4.A.Tamilarasi
- 5.V.Malliga
- 6.M.Aandi @ Andisamy
- 7.S.Alagumuthuraja @ Vignesh
- 8.A.Nallupandi
- 9.M.Kalidass @ Kalidasan
- 10.S.Karupaiah
- 11.P.Karuppu @ Karupasamy
- 12.M.Karthi @ Karthick Kumar
- 13.M.Ayyanar
- 14.P.Karupasamy
- 15.M.Alpadi
- 16.S.Arumugam
- 17.S.Murugan
- 18.P.Alagan
- 19.A.Muthu
- 20.A.Periyapandi @ Pandi
- 21.A.Selva @ Tamilalagan

... Petitioners/Accused No.2 to 11 & 13 to 23
Vs

State Rep.by
The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.
(Crime No.190 of 2023)

... Respondent/Complainant



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For Petitioners : Mr.T.Thirumurugan, Advocate
For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.190 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A2 to A11 and A13 to A12, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 336, 286 and 506(ii) IPC and Section 4 of TNPHW Act in Crime No.190 of 2023, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel between the accused and the de-facto complainant, the accused persons have abused the de-facto complainant in filthy language and assaulted her with dire consequences. Hence the case.

3.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

4.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

5.Accordingly, the petitioners are ordered to be released on bail in the event of



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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-II, Virudhunagar, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties 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 appear before the Trial Court on issuance of summons.

[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 Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-

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/10/2023

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

cmr

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.
- 3 THE INSPECTOR OF POLICE, KARIYAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-14699[I] dated 05/10/2023)

ORDER IN

CRL OP(MD) No.17694 of 2023

Date :05/10/2023

RS/DD/SAR-(12.10.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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