



CRL OP(MD).No.19390 of 2023

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

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL
CRL OP(MD).No.19390 of 2023

1. Ranjitham
2. Nallamani

... Petitioners/ Accused 1 & 2

Vs

State represented by
The Sub-Inspector of Police,
Kadupatty Police Station,
Madurai District.
(Crime No.168 of 2023)

... Respondent/ Complainant

For Petitioners : Mr.B.Johnpaul, Advocate.

For Respondent : Mr.R.Sivakumar, Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.168 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 324 and 506 (2) of IPC, in Crime No.168 of 2023, on the file of the respondent police, seek an order of pre-arrest bail.

2. The case of the prosecution is that there is a pathway dispute between the petitioners' family and the defacto complainant's family, due to which, on 18.10.2023, when the defacto complainant was returning from the college by his two wheeler, the



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petitioners had intercepted him and abused him by using filthy language and also attacked him by using knife. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and the defacto complainant has foisted a false complaint against the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the first petitioner has no any previous cases and the second petitioner had two previous cases and the same were already disposed of. He further submitted that the defacto complainant/injured was admitted in the hospital on 18.10.2023 and discharged on 20.10.2023.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police and perused the records.

6. Petitioners have no other pending cases as of now. Petitioners have permanent residences and hence, there is no possibility for absconding. Considering the nature of the alleged offences, this Court is of the view that custodial interrogation of the petitioners is not necessary. Hence, this Court is inclined to grant an order of pre-arrest bail to the petitioners, subject to the following conditions :



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(i) Pre-arrest bail is granted to the petitioners;

(ii) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Vadipatty, within 15 days from today, on their executing a bond for Rs.25,000 (Rupees Twenty Five Thousand Only) each with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, Vadipatty.

(iii) The petitioners shall appear and sign before the respondent police daily at 10.00 a.m., until further orders.

(iv) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proof to ensure their identity.

(v) The petitioners shall not tamper with the evidence or witness either during investigation or trial.

(vi) The petitioners shall appear and co-operate with the Investigating Agency as and when required for investigation.

(vii) If the petitioners abscond, a fresh FIR shall be registered under Section 229A of IPC.

(viii) On breach of any of the aforementioned conditions, the learned Magistrate



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is entitled to pass appropriate orders against the petitioners in accordance with law

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as if the aforementioned conditions are imposed by themselves as laid down by the

Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

sd/-

26/10/2023

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/11/2023

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

CSM

TO

1 THE JUDICIAL MAGISTRATE, VADIPATTY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE, KADUPPATTY POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.B.JOHN PAUL, Advocate (SR-15617[I] dated 26/10/2023)

ORDER IN

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Date :26/10/2023

RS/VRS/SAR-(06.11.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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