



CRL OP(MD) No.40 of 2024

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

Thursday, the Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.40 of 2024

RAJA

... Petitioner / Accused

Vs

THE INSPECTOR OF POLICE
THATCHANALLUR POLICE STATION,
TIRUNELVELI CITY,
TIRUNELVELI.
(CRIME NO.848 OF 2023.)

... Respondent / Complainant

For Petitioner : M/s.S.Gokulraj, Advocate

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl. Side)

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.848 OF 2023 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections 294(b), 341 and



506(1) of I.P.C., r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.848 of 2023, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that there was a family dispute between the petitioner and the defacto complainant and the petitioner attacked the defacto complainant's husband and son with weapons and abused them with filthy language and threatened them with dire consequences. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioner and the defacto complainant are neighbours. He would submit that one previous case is pending against the petitioner. He would further submit that no one sustained injuries.

5. Considering the facts and circumstances of the case and also considering the fact that it is a family dispute, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of



CRL OP(MD) No.40 of 2024

fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila at Magistrate Level, Tirunelveli 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 respondent police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioner shall report before the respondent police as and when required for interrogation;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during



CRL OP(MD) No.40 of 2024

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investigation or trial;

(f) 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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
04/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Judge,
The Additional Mahila Court at Magistrate Level,
Tirunelveli.



CRL OP(MD) No.40 of 2024

2. Do through the Chief Judicial Magistrate,
Tirunelveli District.

3. The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli City, Tirunelveli.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-170[I] dated 04/01/2024)

ORDER
IN
CRL OP(MD) No.40 of 2024
Date :04/01/2024

ED/ JGB /SAR- (09/01/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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