



CRL OP(MD) No.61 of 2024

WEB COPY

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.61 of 2024

K.VIRUMANDI

... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
MATTUTHAVANI POLICE STATION,
MADURAI.

CRIME NO.NOT KNOWN OF 2023 ... RESPONDENT/COMPLAINANT

For Petitioner : Mr.A.KANNAN, Advocate

For Respondent : Mr.P.KOTTAICHAMY,
Govt. Advocate (Crl. Side)

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

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 petitioner/ Accused Rank Not Known, who apprehends arrest at the hands
of the respondent police for the alleged offence under Sections 294(b), 323 & 506(2) of

IPC in Crime No.Not Know of 2023, seeks anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD) No.61 of 2024

WEB COPY

2.The case of the prosecution is that the defacto complainant is the load-man in the New Fruit Market, Mdurai. The mother of the petitioner is running a vegetable shop in the same market. On 26.12.2023, when the defacto complainant loading and unloading the fruits in the market, there was dispute arouse between the mother of the petitioner and the defacto complainant. Due to which, the petitioner said to have abused the defacto complainant with filthy language and also attacked him. Hence, the Law Enforcing Authority, registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that it is a case and case in counter. In the said occurrence, the petitioner and his mother also sustained injuries. In this regard, a complaint has been give by the mother of the petitioner against the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that it is a case and case in counter. This case and the counter case are at CSR stage. However, he fairly conceded that the injured was discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the facts that it is a case and case in counter and the injured was discharged from the



CRL OP(MD) No.61 of 2024

hospital, I am inclined to grant anticipatory bail to the petitioner.

WEB COPY

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 fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.6, Madurai, 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 his 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 his 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;



CRL OP(MD) No.61 of 2024

(e) the petitioner shall not abscond either during 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 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]; 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.

DSS
TO
1 THE JUDICIAL MAGISTRATE NO.6,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
MATTUTHAVANI POLICE STATION,
MADURAI.

<https://www.hmc.tn.gov.in/judis>



CRL OP(MD) No.61 of 2024

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

+1 CC to M/s.A.C.ASAITHAMBI, Advocate (SR-340[I] dated 08/01/2024)

ORDER
IN
CRL OP(MD) No.61 of 2024
Date :04/01/2024

SA/JGB/SAR. /09.01.2024/5P/6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.