



CRL OP(MD) No.286 of 2024

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

Tuesday, the Ninth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 SELVAKUMAR

2 BOMMURAJ

3 BHARATHWAJ

4 SARADHAMANI

5 VIJAYALAKSHMI

... Petitioners / Accused No.1 to 5

Vs

THE INSPECTOR OF POLICE
CHINNALAPATTI POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.4 OF 2024.)

... Respondent / Complainant

For Petitioners : M/s.C.Susikumar, Advocate

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

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.4 OF 2024 ON THE FILE OF
THE RESPONDENT POLICE.



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ORDER: The Court Made the following order :-

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The petitioners/A1 to A5, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 354, 506(i) IPC and Section 4 of the Tamilnadu Prohibition of Harassment of Women Act in Crime No.4 of 2024, seek anticipatory bail.

2.The case of the prosecution is that during New Year celebration, there was a quarrel arose between the petitioners and the defacto complainant, in which, the petitioners abused the defacto complainant in filthy language and also threatened her with dire consequences. Hence, the present case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners also preferred a complaint as against the defacto complainant and as a counter-blast, the present false case came to be foisted. Therefore, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that there is no previous case pending as against the petitioners.

5.Considering the facts and circumstances of the case and also considering the



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fact that there is no previous case pending as against the petitioners, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Athur, Dindigul District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 petitioners 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;

(d) the fifth petitioner shall report before the respondent police as and when required and the petitioners 1 to 4 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required;



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(e)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioners shall not abscond either during investigation or trial;

(g)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;

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

sd/-
09/01/2024

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

GNS

To

1.The Judicial Magistrate,
Athur, Dindigul District.



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

3.The Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.

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

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-457 [I] dated 10/01/2024)

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-635[I] dated 11/01/2024)

ORDER

IN

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Date :09/01/2024

ED/ DD /SAR- (19/01/2024) 5P / 7C

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