



CRL OP(MD) No.388 of 2024

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

Wednesday, the Tenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 ANBARASAN @ JENOE ANBARASAN

2 SABILA MARY

... PETITIONERS / ACCUSED 1 & 4

Vs

THE INSPECTOR OF POLICE
LALGUDI POLICE STATION,
TRICHY DISTRICT,
CRIME NO.530/2023

... RESPONDENT/COMPLAINANT

For Petitioner : MR.P.SENGUTTUARASAN Advocate

For Respondent : MR.SS.MADHAVAN, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.530/2023 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners/ A1 & A4, who apprehend arrest at the hands of the respondent

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



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police for the alleged offence under Sections 294(b), 323, 506(1) IPC and Section 4 of T.N.P.H.W Act, in Crime No.530 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that due to the civil dispute between the petitioners and defacto complainant, on the date of date of occurrence, when the defacto complainant along with others were going to the disputed land and trying to plough the land, the petitioners along with other accused abused them with filthy language and attacked them and caused injuries. Hence, the defacto complainant lodged a complaint before the Law Enforcing Authority.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that It is a case and case in counter. Counter case has been registered against the defacto complainant and the injured were discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that the petitioners and the defacto complainant are relatives. Due to land



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dispute, the said occurrence was happened. However, he fairly conceded that the injured were discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the facts that it is purely a civil dispute between the parties and counter case has been registered against the defacto complainant and the injured persons have already been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they 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, Lalgudi, 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



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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 petitioners shall report before the respondent police daily at 10.30 a.m, until further orders;

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

(e) the petitioners 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 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



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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
10/01/2024

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/01/2024

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

DSS

TO

1.THE JUDICIAL MAGISTRATE, LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY

3.THE INSPECTOR OF POLICE
LALGUDI POLICE STATION, TRICHY DISTRICT,

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

+1 CC to M/s.P.SENGUTTUARASAN, Advocate (SR-668[I] dated 12/01/2024)

ORDER
IN

CRL OP(MD) No.388 of 2024
Date :10/01/2024

RK/ DD(18/01/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023