



CRL OP(MD) No.598 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Friday, the Twelfth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.598 of 2024

1 RAJAN

2 INDIRA DEVI

3 THIRUMENI

... PETITIONERS / ACCUSED No.1-3

Vs

THE INSPECTOR OF POLICE
NAGAIYAPURAM POLICE STATION,
MADURAI DISTRICT.
CR.NO.1/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.PRABHU.S Advocate

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

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

PRAYER:

FOR ANTICIPATORY BAIL IN CR.NO.1/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the



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respondent police for the alleged offence punishable under Sections 294(b), 323, 355 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.1 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to money dispute between the parties, the petitioners attacked the defacto complainant with hands. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that no one sustained injuries in the alleged occurrence.

5.Considering the facts and circumstances of the case and also considering the fact that no one sustained injuries in the alleged occurrence, 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 **Judicial Magistrate Court, Peraiyur, Madurai 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



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or to the satisfaction of the learned Magistrate concerned and on further condition
that:

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(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;

(c)the petitioners shall report before the respondent police as and when required;

(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 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/-
12/01/2024

/ TRUE COPY /

/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,
PERAIYUR, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
NAGAIYAPURAM POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

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Date :12/01/2024

SS/DD/SAR- /24/01/2024/4P/5C

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