



CRL OP(MD) No.926 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.926 of 2024

1 BALASUBRAMANIYAN

2 DHARMADURAI @ DHARMARAJ

... Petitioners / Accused Nos.1 and 2

Vs

THE INSPECTOR OF POLICE
VALANADU POLICE STATION,
TRICHIRAPALLI DISTRICT.
(CR.NO.10/2024)

... Respondent / Complainant

For Petitioners : M/s.V.Sevakumar, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CR.NO.10/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/ A1, A2, who apprehend arrest at the hands of the respondent
police for the alleged offence under Sections 294(b), 324 and 506(ii) of IPC in Crime
No.10 of 2024, seek anticipatory bail.



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2.The case of the prosecution is that on 10.01.2024, when the defacto complainant and her husband were in their house, the petitioners said to have trespassed into the house of the defacto complainant and enquired whereabouts the wife of the first petitioner. When the defacto complainant replied not known, they abused her in filthy language and also attacked her and caused injuries to her. Thereby, 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 the injured was 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 there was dispute between the parties regarding the missing cattle of the defacto complainant. The investigation is still pending 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 fact that the injured person has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.



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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, Manapparai, 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;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as when required for interrogation;

(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;



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(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/-
29/01/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate,
Manapparai.

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

3.The Inspector of Police,
Valanadu Police Station,
Trichirapalli District.



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

+1 CC to M/s.V.SELVAKUMAR, Advocate (SR-1118[I] dated 30/01/2024)

ORDER
IN
CRL OP(MD) No.926 of 2024
Date :29/01/2024

ED/ VR /SAR- (31/01/2024) 5P / 6C

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