



CRL OP(MD) No.1011 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 THILLAIYAPPAN

... PETITIONER/ ACCUSED 1

2 JOTHI @ JOTHIMANI @ JOTHIMUTHU,

... PETITIONER/ ACCUSED
(RANK NOT KNOWN)

Vs

THE INSPECTOR OF POLICE
KEERANUR POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.6 OF 2024)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.LENIN KUMAR.T Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO. 6 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/ A1 & rank not known, who apprehend arrest at the hands of
the respondent police for the alleged offence under Sections 294(b), 323 and 506(ii) of



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IPC in Crime No.6 of 2024, seek anticipatory bail.

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2.The case of the prosecution is that on 11.01.2024, at about 07.30 p.m, when the defacto complainant was going to buy milk, the petitioners teased him. When the same was questioned by the defacto complainant, there was wordy quarrel between them. Due to which, the petitioners assaulted the defacto complainant with aruval and caused injuries to him. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency.

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. Already counter case has been registered against the defacto complainant and two others in Crime No.5 of 2023. Further, 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 it is a case and case in counter and counter case has been registered against the defacto complainant in Crime No.5 of 2023. Further, the injured was discharged from the hospital.

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



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facts that it is a case and case in counter and counter case has been registered against the defacto complainant and the injured person has already been discharged from the hospital, this Court is 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, Palani, 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;



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(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;

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

sd/-
23/01/2024

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

DSS
TO
1 THE JUDICIAL MAGISTRATE,
PALANI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.



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3 THE INSPECTOR OF POLICE
KEERANUR POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-1045[I] dated 24/01/2024)

ORDER
IN
CRL OP(MD) No.1011 of 2024
Date :23/01/2024

SA/JGB/SAR. /30.01.2024/5P/6C

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