



(IN CRIME NO.28 OF 2024)

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL.O.P(MD).Nos.1057 and 1280 of 2024

SURYA

... PETITIONER/ ACCUSED NO.2
IN CRL OP(MD)NO.1057 OF 2024

DURAIRAJ @ DURAIRASU

...PETITIONER/ ACCUSED NO.3
IN CRL OP(MD)NO.1280 OF 2024

Vs

THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
(IN CRIME NO.28 OF 2024)

... RESPONDENT/COMPLAINANT
IN BOTH CASES

For Petitioner : MR.K.R.BADURUS ZAMAN Advocate
IN CRL OP(MD)NO.1057 OF 2024

For Petitioner : MR.R.ALAGIA NAMBI, Advocate
IN CRL OP(MD)NO.1280 OF 2024

For Respondent : MR.S.MANIKANDAN, Govt. Advocate (Crl. Side)
(IN BOTH CASES)

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

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



(IN CRIME NO.28 OF 2024)

COMMON PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO. 28 OF 2024 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 341, 294(b), 342, 323, 324, 506(ii) and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.28 of 2024, seek anticipatory bail.

2.The case of the prosecution is that on 18.01.2024, at about 08.00 p.m., due to previous enmity, the petitioners waylaid the defacto complainant and abused her in filthy language and also attacked her with Aruval and caused injures to her. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the injured has been discharged from the hospital.



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5. Considering the facts and circumstances of the case and the fact that the injured has 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, Natham, 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.,



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for a period of two weeks and thereafter, as and 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/-
30/01/2024

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/02/2024

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

TTA

TO

1.THE JUDICIAL MAGISTRATE , NATHAM,



(IN CRIME NO.28 OF 2024)

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL

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

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

+1 CC to M/s.K.R.BADURUS ZAMAN, Advocate (SR-1151[I] dated 30/01/2024)

+1 CC to M/s.R.AZHAGIA NAMBI, Advocate (SR-1152[I] dated 30/01/2024)

ORDER

IN

CRL.O.P(MD).Nos.1057 and 1280 of 2024

Date :30/01/2024

RK/ (05/02/2024) 5P / 7C

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