



CRL OP(MD) No.1101 of 2024

WEB COPY

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

Wednesday, the Twenty Fourth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.1101 of 2024

(*)ARUPUTHARAJ @ ARPUTHARAJ PRABU ... PETITIONER/SOLE ACCUSED

(*)(CAUSE TITLE AMENDED AS PER ORDER OF THIS
COURT DATED 24.01.2024 IN CRL.MP(MD).805/2024 in
CRL OP(MD).1101/2024)

Vs

THE INSPECTOR OF POLICE
ALLINAGARAM POLICE STATION
THENI DISTRICT.
CRIME NO.485/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.S.RISHIKESH, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.485/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the
respondent police for the alleged offence under Sections 283, 294(b),341 and 506(1) of
IPC, in Crime No.485 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that due to the dispute with regard to pathway,



CRL OP(MD) No.1101 of 2024

on 18.08.2024, at about 08.00 p.m, when the defacto complainant was going to his house, the petitioner said to have waylaid the defacto complainant and abused him with filthy language and threatened him with dire consequences. Hence, the defacto complainant made a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that no one has sustained injury in the said occurrence. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that due to pathway dispute, the petitioner abused the defacto complainant with filthy language and threatened him with dire consequences. However, he fairly conceded that no one has sustained injury in the said occurrence.

5. Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury in the said occurrence, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Theni, on condition that the petitioner shall execute a bond for a sum of



CRL OP(MD) No.1101 of 2024

Rs.10,000/- (Rupees Ten Thousand Only) 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 petitioner 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 his 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 his identity;

(c) the petitioner shall report before the respondent police as and when required for interrogation;

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

(e) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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;



CRL OP(MD) No.1101 of 2024

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

sd/-
24/01/2024

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

+1 CC to M/s.V.S.RISHIKESH, Advocate (SR-1103[I] dated 29/01/2024)

ORDER IN
CRL OP(MD) No.1101 of 2024
Date :24/01/2024

RS/JGB/SAR-(01.02.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023