



CRL OP(MD) No.1121 of 2024

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**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

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1 SELVAM
2 PANDI KUMAR
3 LINGAM
4 VISWANATHAN
5 GANESHKUMAR
6 KATCHAMMAL
7 ESWARI
8 SARANYA
9 SUBRAMANI
10 KUMARI

... PETITIONERS / ACCUSED Nos. 1 to 10

Vs

**THE INSPECTOR OF POLICE
KALLIKUDI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.9/2024.**

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.PRABHU.S 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.9/2024 ON THE FILE OF THE
RESPONDENT POLICE.**

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



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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 147, 148, 294(b), 323, 324 and 506(ii) IPC and Section 4 of TNPHW Act, in Crime No.9 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive between the first petitioner and the defacto complainant, the 1st petitioner has restrained the defacto complainant to enter into his land, due to which, there was a wordy quarrel between the first petitioner and the defacto complainant, thereby, the other petitioners said to have attacked the defacto complainant and his family members with wooden log. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Further he would submit that it is a case and counter case. The counter case has been lodged against the defacto complainant in Crime No.10 of 2024 for the offences punishable under Sections 147, 148, 294(b), 324, 323, 506(ii) IPC and Section 4 of TNPWH Act. Hence, he prays for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the injured



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is discharged from the hospital. Hence, he has no objection to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that the injured is 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 is 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, Thirumangalam, 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 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;

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

(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/-
24/01/2024

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



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INDU
TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KALLIKUDI POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.1121 of 2024

Date :24/01/2024

PKP/GS/SAR /02.02.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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