



CRL MP(MD) No.854 of 2024

WEB COPY

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 MP(MD) No.854 of 2024  
IN  
CRL OP(MD) No.77 of 2024

1 MOHANA ARUNAGIRINATHAN @ SIVAGIRI

2 SIVA ADITHYA

... PETITIONERS/PETITIONERS

Vs

THE INSPECTOR OF POLICE  
THUCKALAY POLICE STATION,  
KANYAKUMARI DISTRICT,  
CRIME NO.561 OF 2023.

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the order in Crl.OP.(MD). No.77 of 2024 dt.4.1.2024 permit the Petitioners to execute the bail bond and sureties before the Learned Judicial Magistrate,Valliyoor,Tirunelveli District instead of Judicial Magistrate-I,Padmanabhapuram.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.S.RAMAKRISHNAN, Advocate for the petitioners and of MR.P.KOTTAICHAMY, Government Advocate(Crl.side) on behalf of the Respondent the court made the following order:-



**CRL MP(MD) No.854 of 2024**

WEB COPY

This Criminal Miscellaneous Petition has been filed to modify the condition imposed in the order passed by this Court in CrI.OP.(MD)No.77 of 2024, dated 04.01.2024.

2.The learned counsel for the petitioners submitted that on 04.01.2024, this Court has granted anticipatory bail to the petitioners and directed the petitioners to execute the bail bond for a sum of Rs.10,000/- with two sureties before the learned Judicial Magistrate-I, Padmanabhapuram, Kanyakumari District. Since, the defacto complainant is an Advocate, resolution was passed before the Boothapandi Bar Association that the Advocates do not appear on behalf of the petitioners before the Jurisdiction Court at Kanyakumari District. In such circumstances, on 06.01.2024, when the first petitioner along with his wife were coming to attend the proceedings in C.C.No.108 of 2023 before the learned Judicial Magistrate, Thuckalay, 5 unknown persons, who are all Advocates waylaid the first petitioner and his wife and abused them in filthy language and also assaulted them with their hands and caused injuries to them. Hence, they were admitted in the Asaripallam Medical College Hospital. Thereby, the first petitioner has lodged a complaint before the learned Principal District Judge, Nagercoil, and case has been registered in CSR.No.36 of 2024 against



**CRL MP(MD) No.854 of 2024**

the accused persons. Since the learned Judicial Magistrate-I, Padmanabhapuram, is situated in the same locality of the learned Judicial Magistrate, Thuckalay, the petitioners have not executed the bail bond before the learned Judicial Magistrate-I, Padmanabhapuram. Hence, this Court may direct the petitioners to execute the bail bond before the some other Court i.e., the learned Judicial Magistrate, Valliyoor instead of 'learned Judicial Magistrate-I, Padmanabhapuram'.

3.The learned Government Advocate (Criminal Side) appearing for the respondent police has no serious objections for allowing this petition.

4.Considering the above submission made by the learned counsel for the petitioners, the petitioners are directed to execute the bail bond for a sum of Rs.10,000/- with two sureties before the learned Judicial Magistrate, Valliyoor, within a period of two weeks from the dated of receipt of copy of this order.

5.Mr.Mohandhass, the Special Sub-Inspector-911, Thuckalay, Kanyakumari District, shall provide protection to the petitioners at the time of execution of bail bond before the learned Judicial Magistrate, Valliyoor.



CRL MP(MD) No.854 of 2024

WEB COPY

6. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-  
30/01/2024

/ TRUE COPY /

30/01/2024  
Sub-Assistant Registrar ( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

dss

TO

1. THE JUDICIAL MAGISTRATE,  
VALLIYOOR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI.

3. THE JUDICIAL MAGISTRATE-I,  
PADMANABHAPURAM,  
KANYAKUMARI DISTRICT.

4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KANYAKUMARI DISTRICT @ NAGERCOIL.

5. THE INSPECTOR OF POLICE  
THUCKALAY POLICE STATION,  
KANYAKUMARI DISTRICT,



**CRL MP(MD) No.854 of 2024**

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

COPY TO

MR.MOHANDHASS,  
THE SPECIAL SUB-INSPECTOR-911,  
THUCKALAY, KANYAKUMARI DISTRICT,

+1 CC to M/s.S.RAMAKRISHNAN, Advocate ( SR-1172[I] dated 30/01/2024 )

ORDER  
IN  
CRL MP(MD) No.854 of 2024  
IN  
CRL OP(MD) No.77 of 2024  
Date :30/01/2024

RK/SKN (30/01/2024) 5P / 9C

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