



CRL OP(MD) No.1183 of 2024

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

Monday, the Twenty Ninth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1183 of 2024

1 V.KALEESWARI

2 S.GANESAN

3 V.SIVA

... PETITIONERS/ ACCUSED NO.1 TO 3

Vs

THE INSPECTOR OF POLICE
PETTAI POLICE STATION,
TIRUNELVELI CITY,
CRIME NO.500/2023

... RESPONDENT/COMPLAINANT

For Petitioner : MR.A KARTHIK 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.500/2023 ON THE FILE OF
THE RESPONDENT POLICE



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ORDER : The Court Made the following order :-

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The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, and 506(ii) of IPC and Section 4 of TNPHW Act, in Crime No.500 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, the accused persons abused the defacto complainant in filthy language and his parties and criminally intimidated them. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen that the petitioners have earlier obtained anticipatory bail by this Court in CrI.O.P.(MD)No.17642 of 2023, dated 04.10.2023. Subsequently, the petitioners have filed extension of time in CrI.M.P.(MD)Nos.15179 of 2023, 16552 of 2023 and 17992 of 2023 before this Court and the same was allowed on 01.11.2023, 24.11.2023 and 21.12.2023. However, the petitioners have failed to comply with the said condition within the time prescribed by this Court and hence, the petitioners are



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constrained to move the above application.

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5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is ordered and the petitioners 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 No.V, Tirunelveli, 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 first petitioner shall report before the respondent police as and when required for interrogation; and the petitioners 2 and 3 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/01/2024

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/02/2024

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

SJI

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TO
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1.THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3.THE INSPECTOR OF POLICE
PETTAI POLICE STATION,
TIRUNELVELI CITY,

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

+1 CC to M/s.A.KARTHIK, Advocate (SR-1112[I] dated 30/01/2024)

ORDER
IN

CRL OP(MD) No.1183 of 2024

Date :29/01/2024

RK/JGB(02/02/2024) 5P / 6C

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