



CRL OP(MD) No.1446 of 2024

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

Wednesday, the Thirty First day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1446 of 2024

1 D.ANNAKKODI

2 V VIJAYA BHARATHI

3 M KATHIRESAN

4 M KARTHICK

... PETITIONERS / ACCUSED No.2 TO 5

Vs

THE INSPECTOR OF POLICE
PERUNAZHI POLICE STATION,
RAMNAD DISTRICT.
(CRIME NO.3/2024)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.VELMURUGAN.R, 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.3 OF 2024 ON THE FILE OF THE
RESPONDENT POLICE



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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 4B of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 and Sections 505(1)(b) of IPC, in Crime No.3 of 2024, seek anticipatory bail.

2. Today, when the matter is taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the respondent police submitted that during the pendency of this petition, the names of the petitioners 1, 2 and 4 have been deleted from the FIR.

3. The case of the prosecution is that the petitioner is a social activists, on 08.01.2024, the petitioner had pasted the posters, as if the de-facto complainant had misappropriated the Panchayat funds to the tune of Rs.7 lakhs, before initiation of construction of bus stop. Hence, the case.

4.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. He would further submit that this Court had granted anticipatory bail to the co-accused in Crl.O.P(MD).No.968 of 2024 dated 22.01.2024.



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5. The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the names of the petitioners 1, 2 and 4 have been deleted from the FIR and also submitted that this Court had granted anticipatory bail to the co-accused/A1.

6. Since the names of the petitioners 1, 2 and 4 have been deleted from the FIR during the pendency of this petition, this Criminal Original Petition is dismissed against the petitioner Nos.1, 2 and 4.

7. Considering the facts and circumstances of the case and also the fact that this Court had granted anticipatory bail to the co-accused/A1, this Court is inclined to grant anticipatory bail to the third petitioner.

8. Accordingly, the third 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 **learned Judicial Magistrate, Kamuthi**, on condition that the third petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with



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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 third 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 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 third petitioner shall report before the respondent police as and when required for interrogation;

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

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



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

sd/-
31/01/2024

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/02/2024

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

TTA
TO

1 THE JUDICIAL MAGISTRATE,
KAMUTHI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
PERUNAZHI POLICE STATION,
RAMNAD DISTRICT.

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

+1 CC to M/s.R.VELMURUGAN, Advocate (SR-1211[I] dated 31/01/2024)

ORDER
IN

CRL OP(MD) No.1446 of 2024
Date :31/01/2024

SS/JGB/SAR- /12/02/2024/5P/6C

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