



CRL OP(MD) No.1520 of 2024

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

Thursday, the First day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1520 of 2024

1 P.THANGARAJ

2 GANESAN

... PETITIONER / ACCUSED Nos. 1 & 2

Vs

THE INSPECTOR OF POLICE
SANKARALINGAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.3/2024.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.BANUPRASATH.P 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.3/2024 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for



CRL OP(MD) No.1520 of 2024

the alleged offence under Sections 294(b), 323, 506(i) and Section 4 of TNPWH Act, in Crime No.3 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the petitioners are living in same locality. On the day of occurrence, due to previous enmity, the petitioners put the wastage in front of the defacto complainant's house and when the same was questioned by the defacto complainant, wordy quarrel arose between them. So, the petitioners abused and threatened the defacto complainant. 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, it is a case and counter case and the injured is discharged from the hospital. So, he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that it is the case and counter case, the counter case has been registered against the defacto complainant in crime No.4 of 2024 before the respondent Police and the injured is discharged from the hospital. Hence, he has no objection to grant anticipatory bail to



CRL OP(MD) No.1520 of 2024

the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that it is the case and counter case and 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, Vilaathkulam, Thoothukudi 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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CRL OP(MD) No.1520 of 2024

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

(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/-
01/02/2024

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



CRL OP(MD) No.1520 of 2024

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INDU
TO

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

+1 CC to M/s.P.BANU PRASATH, Advocate (SR-1316[I] dated 01/02/2024)

ORDER
IN

CRL OP(MD) No.1520 of 2024
Date :01/02/2024

PKP/GS/SAR /02.02.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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