



CRL OP(MD) No.1542 of 2024

WEB COPY

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.1542 of 2024

1 VAITHEESH @ VAITHESH RAJA
2 PABIN @ BABINSINGH

... Petitioners / Accused No.2 and 4

Vs

THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT,
(CRIME NO.45/2024)

... Respondent / Complainant

For Petitioner : Mr.Mohan, Advocate
for M/s.G.Aravinthan, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.45/2024 ON THE FILE OF
THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners/A2 & A4, who apprehend arrest at the hands of the
respondent police for the alleged offence under Sections 341, 294(b), 307, 323 and



CRL OP(MD) No.1542 of 2024

506(2) of IPC and Section 3 of TNPPDL Act, in Crime No.45 of 2024, seeks anticipatory bail.

WEB COPY

2.The case of the prosecution is that due to previous enmity between the friend of the defacto complainant and the accused persons, on 18.01.2024, at about 03.00 a.m, the petitioners along with the other accused said to have abused the defacto complainant in filthy language and attacked him with knife and caused injuries to him. Hence, the defacto complainant lodged a complaint before the Law Enforcing Authority.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the injured was discharged from the hospital and the co-accused were already released on bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that the investigation is still pending. However, he fairly conceded that the injured was discharged from the hospital and the co-accused were already released on bail.

5. Considering the facts and circumstances of the case and also considering the facts that the injured person has already been discharged from the hospital and the



CRL OP(MD) No.1542 of 2024

co-accused were already released on bail, this Court is inclined to grant anticipatory bail to the petitioners.

WEB COPY

6. Accordingly, the petitioners are granted anticipatory bail and they 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, Valliyur, 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;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders;

(d) the petitioners shall not tamper with evidence or witness either during



CRL OP(MD) No.1542 of 2024

investigation or trial;

WEB COPY

(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

/ TRUE COPY /

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

DSS

To

1. The Judicial Magistrate,
Valliyur.

2. Do through the Chief Judicial Magistrate,
Tirunelveli District.



CRL OP(MD) No.1542 of 2024

3.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.1542 of 2024
Date :01/02/2024

ED/ GS /SAR- (06/02/2024) 5P / 5C

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