



CRL OP(MD) No.1647 of 2024

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

Monday, the Fifth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1647 of 2024

KRISHNAKUMAR

... PETITIONER / ACCUSED 5

Vs

THE INSPECTOR OF POLICE
VASUDEVANALLUR POLICE STATION,
TENKASI DISTRICT.
CRIME NO.320 OF 2023.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.INDRACHITHU 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.320 OF 2023 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for
the alleged offence under Sections 147, 294(b), 427, 323 and 506(ii) of IPC in Crime

No.320 of 2023, seek anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD) No.1647 of 2024

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2. The case of the prosecution is that due to previous enmity, the petitioner and the other accused persons assaulted the defacto complainant and his family members using sticks and caused damage to the two wheeler belongs to the defacto complainant, scolded the defacto complainant using filthy language and also threatened them with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Further, he would submit that it is a case and counter case and the counter case has been registered in Crime No.321 of 2023. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that injured is discharged from the hospital and it is the case and counter case. Hence, he has no objection to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the injured is discharged from the hospital and it is the case and counter case, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the 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 District



CRL OP(MD) No.1647 of 2024

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Munsif cum Judicial Magistrate, Sivagiri, Tenkasi District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), 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 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 petitioner shall report before the respondent Police daily at 10.30 p.m., for a period of two weeks and thereafter, he shall appear before the respondent Police as and when required;

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

(e)the 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 petitioner in accordance with



CRL OP(MD) No.1647 of 2024

law as if the conditions have been imposed and the 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;

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

sd/-
05/02/2024

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

INDU
TO
1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SIVAGIRI, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
VASUDEVANALLUR POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.T.INDRACHITHU, Advocate (SR-1463[I] dated 06/02/2024)



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CRL OP(MD) No.1647 of 2024

ORDER
IN
CRL OP(MD) No.1647 of 2024
Date :05/02/2024

SA/GS/SAR. /08.02.2024/5P/6C

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