



CRL OP(MD) No.1788 of 2024

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

Friday, the Ninth day of February Two Thousand and Twenty Four  
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI  
CRL OP(MD) No.1788 of 2024

1 VIJAY  
2 JAGANATHAN  
3 SUNDHAR

... PETITIONERS/ ACCUSED NO.1 TO 3

Vs

THE INSPECTOR OF POLICE  
THOTTIYAM POLICE STATION,  
TRICHY DISTRICT.  
CRIME NO.25 OF 2024.

... RESPONDENT/COMPLAINANT

For Petitioners : MR.K.ARUNRAJ, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.25 OF 2024 ON THE FILE OF  
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 324, 506(ii) of IPC in Crime No.25 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that on 05.11.2023, at about 04.00 p.m, during the Pongal Festival, when the son of the defacto complainant was playing Kabadi, there was wordy altercation between the defacto complainant and the petitioners.

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



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Due to which,, at about 07.30 a.m, the petitioners along with other accused abused the defacto complainant in filthy language and assaulted him with wooden log. Hence, a complaint has been lodged 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 no one has sustained injury in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that no one has sustained injury in this case.

5. Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury in this case, this Court is inclined to grant anticipatory bail to the petitioners.

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 Judicial Magistrate Court, Thottiyam, 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



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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 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;



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

sd/-  
09/02/2024

/ 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, THOTTIYAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE, THOTTIYAM POLICE STATION,  
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.ARUNRAJ, Advocate ( SR-1639[I] dated 09/02/2024 )

ORDER IN  
CRL OP(MD) No.1788 of 2024  
Date :09/02/2024

RS/VR/SAR-(16.02.2024) 4P 6C  
Madurai Bench of Madras High Court is issuing  
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