



CRL OP(MD) No.1948 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1948 of 2024

1 SATHIYA

2 SANGEETHKUMAR

3 MUTHUSELVAN

... PETITIONERS/ ACCUSED 1,3 & 4

Vs

THE INSPECTOR OF POLICE
THOTTIYAM POLICE STATION,
TRICHY DISTRICT,
CRIME NO.405/2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.ARUNRAJ.K Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 439 Cr.P.C.

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.405/2023 ON THE FILE
OF THE RESPONDENT POLICE

ORDER : The Court Made the following order :-



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Section 4 of Prohibition of Harassment of Women Act, 2002, in Crime No.405 of 2023, seek anticipatory bail.

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2. The case of the prosecution is that due to previous enmity, on 29.12.2023 the petitioners attacked the defacto complainant and scolded her using filthy language and also threatened her with dire consequences. 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, there is no one injured in this case. So, he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that there is no one injured in this case. Hence, he has no objection to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that no one injured in this case, 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 * **District Munsif cum Judicial Magistrate, Thottiyam**, on condition that the



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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 petitioner Nos.2 and 3 shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, he shall report before the respondent Police as and when required. The petitioner No.1 shall report before the respondent Police as and when required for interrogation;

(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



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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/-
08/02/2024

(*)Amended as per order of this Court dated 27.02.2024 in CRL MP(MD)No.2363 of 2024 in CRL OP(MD)No.1948 of 2028

Time granted by this Court to comply with the conditions imposed vide order dated 08.02.2024 in CRL OP(MD) No.1948 of 2024 is extended for a period of two weeks from the dated of receipt of amended copy of this order.

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DATED 08.02.2024
ALREADY DESPATCHED.

1 THE JUDICIAL MAGISTRATE NO.I,
TRICHY.



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2.THE DISTRICT MUNSIF CUM JUDICAL MAGISTRATE
THOTTIYAM

3 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

4 THE INSPECTOR OF POLICE
THOTTIYAM POLICE STATION,
TRICHY DISTRICT,

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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-2478[I] dated 28/02/2024)

ORDER
IN
CRL OP(MD) No.1948 of 2024
Date :08/02/2024

SA/JGB/SAR. /13.02.2024/5P/6C
ED/ /SAR- (04/03/2024) 5P / 7 C

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