



CRL OP(MD) No.2050 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

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1 KARUPPIAH

2 MATHIYALAGAN

3 CHINNAIAH

4 SURIYAMOORTHY

5 BALRAJ

6 NAMPIYAR

7 ELAIYARAJA

8 THANGAPPA

9 SAKTHIVEL ... PETITIONERS / ACCUSED 7,11,14,15,30,31,40,41 & 44

Vs

THE INSPECTOR OF POLICE
GANDARVAKKOTTAI POLICE STATION
PUDUKKOTTAI DISTRICT
(CRIME NO.38/2024)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.G.MATHAVAN Advocate

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



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For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.38/2024 ON THE FILE OF THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners/A7, A11, A14, A15, A30, A31, A40, A41 and A44, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 147, 294(b), 323, 336 and 506(ii) of IPC in Cr.No.38 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute pending between the parties, a wordy quarrel arose between them, in which, both of them attacked each other. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and it is a case and case in counter and a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submitted that there was a wordy altercation, the above said incident had happened and it is a case and case in counter. However, he strongly opposed to grant anticipatory bail to the petitioners.



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5.Considering the facts and circumstances of the case and also considering the fact that it is a case and case in counter, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is ordered and the petitioners 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 District Munsif cum Judicial Magistrate, Gandarvakottai, Pudukkottai District, on condition that the petitioners shall execute a own bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) 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 petitioners shall affix their photographs and left thumb impression in the 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 as and when required for interrogation;



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(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 abscond, 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.

SJI
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
GANDARVAKOTTAI, PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKKOTTAI DISTRICT.

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



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3 THE INSPECTOR OF POLICE
GANDARVAKKOTTAI POLICE STATION
PUDUKKOTTAI DISTRICT

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

+1 CC to M/s.G.MATHAVAN, Advocate (SR-1665[I] dated 09/02/2024)

ORDER
IN
CRL OP(MD) No.2050 of 2024
Date :09/02/2024

SA/JGB/SAR. /15.02.2024/5P/6C

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