



CRL OP(MD) No.2229 of 2024

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

Wednesday, the Fourteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 MOHAMMED SATHIK ALI @ MOHAMMED SATHIK,

2 MOHAMMED ASLAM @ ASLAM

3 MOHAMMED MANSORE ALI

4 MOHAMMED NOWSATH ALI ... PETITIONERS / ACCUSED 1 TO 4

Vs

THE INSPECTOR OF POLICE
LALGUDI POLICE STATION,
TRICHY DISTRICT.
(IN CRIME NO.70 OF 2024)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.SENTHIL 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.70 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.



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ORDER: The Court Made the following order :-

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The petitioners/ A1 to A4, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 448, 323 and 506(ii) of IPC, in Cr.No.70 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 06.02.2024, the petitioners trespassed into the house of the defacto complainant and abused them in filthy language and also threatened them with dire consequences. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the fourth petitioner is not arrayed as an accused in this case and hence, he seeks permission of this Court to not press this petition with regard to the fourth petitioner and he has also made an endorsement to that effect. He would further submit that the petitioners 1 to 3 did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, they prayed for anticipatory bail.

4.The learned Government Advocate (Crl. side) appearing for the State would submit that the injured was already discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured was already discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 1 to 3.

6.Accordingly, this Criminal Original Petition is partly allowed and the



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petitioners 1 to 3 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, Lalgudi, on condition that the petitioners 1 to 3 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 1 to 3 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 1 to 3 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(e).the petitioners 1 to 3 shall not tamper with evidence or witness either during investigation or trial;



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or trial;

(f).the petitioners 1 to 3 shall not abscond either during investigation or trial;

(g).on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 1 to 3 in accordance with law as if the conditions have been imposed and the petitioners 1 to 3 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;

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

7.Insofar as the fourth petitioner is concerned, this petition is dismissed as not pressed.

sd/-
14/02/2024

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



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SJI

TO

1 THE JUDICIAL MAGISTRATE,
LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
LALGUDI POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.D.SENTHIL, Advocate (SR-1940[I] dated 15/02/2024)

ORDER
IN

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Date :14/02/2024

SA/VR/SAR. /19.02.2024/5P/6C

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