



CRL OP(MD) No.2260 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

CRL OP(MD) No.2260 of 2024

1 MANO

2 GANESAN

3 SUDARMANI @ MOHANA SUDAR ... Petitioners / Accused No.1 to 3

Vs

1 THE INSPECTOR OF POLICE

MEIGNANAPURAM POLICE STATION

THOOTHUKUDI DISTRICT.

(CRIME NO.18/2024)

... Respondent / Complainant

2 CHITHIRAI PANDI

... Petitioner / Intervener /

Defacto Complainant

in CRL MP(MD) No.1826 of 2024

For Petitioners : M/s.S.Prabha, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

For Intervener : Mr.Mandhiraingeswaran, Advocate

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO. 18/2024 ON THE FILE OF
THE RESPONDENT POLICE.



CRL OP(MD) No.2260 of 2024

ORDER: The Court Made the following order :-

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The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 324 and 506(ii) of IPC, in Cr.No.18 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a dispute with regard to the management of the temple between the petitioners' group and the defacto complainant group, due to which, the petitioners attacked the defacto complainant. Thereby, the defacto complainant sustained injuries. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioner is a trustee of one Essaki Amman Kovil and he collected tax from the villagers and the same was objected by the defacto complainant. Thereby, there was a wordy altercation between the petitioners and the defacto complainant, in which, the defacto complainant sustained injuries. He would further submit that the injured was already discharged from the hospital. Hence, they prayed for anticipatory bail.

4.The learned counsel for the intervenor would submit that there was a tax collection dispute with regard to conduct the temple festival, due to which, the petitioners joined together and attacked the defacto complainant indiscriminately and thereby, the defacto complainant sustained grievous injuries. He would further



CRL OP(MD) No.2260 of 2024

submit that the defacto complainant has spent a sum of Rs.95,000/- for treatment purposes and hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5.The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the injured was already discharged from the hospital.

6.At this juncture, the learned counsel for the petitioners, on instructions, would further submit that the petitioners, without prejudice to their rights and contentions, are ready to deposit a sum of Rs.30,000/- by way of demand draft drawn in favour of the defacto complainant directly.

7.Considering the facts and circumstances of the case and also considering the allegation levelled against the petitioners and the injured was already discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

8.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 learned Judicial Magistrate No.I, Sathankulam, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two common 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

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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).As per the undertaking given by the petitioners, the petitioners are directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) jointly by way of demand draft drawn in favour of the de-facto complainant directly, without prejudice to their rights and contentions before the trial Court and on production of proof/acknowledgement, the learned Magistrate shall accept the sureties furnished by the petitioners;

(c).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;

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



CRL OP(MD) No.2260 of 2024

WEB COPY
trial;

(f).the petitioners 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 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;

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

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.

SJI

To

1.The Judicial Magistrate No.I,
Sathankulam.



CRL OP(MD) No.2260 of 2024

2.Do through the Chief Judicial Magistrate,
Thoothukudi District.

3.The Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MANDHIRA LINGESWARAN, Advocate (SR-1976[I] dated
16/02/2024)

ORDER
IN
CRL OP(MD) No.2260 of 2024
Date :14/02/2024

ED/ GS /SAR- (20/02/2024) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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