



CRL OP(MD) No.2438 of 2024

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

Friday, the Sixteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2438 of 2024

1 ELUMALAI

2 SRIRANGAN

3 PERIYAKKAL

... PETITIONERS/ ACCUSED NO.1,2&5

Vs

THE INSPECTOR OF POLICE
CHINTHAMANIPATTI POLICE STATION,
KARUR DISTRICT,
CRIME NO.15/2024

... RESPONDENT/COMPLAINANT

For Petitioners : MR.D.S.HAROON RASHEED Advocate

For Respondent : MR.S.MANIKANDAN, Govt. Advocate (CrI. Side)

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.15/2024 ON THE FILE OF
THE RESPONDENT POLICE



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ORDER : The Court Made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offence under Sections 147, 294(b), 323, 324 and 506(ii) IPC r/w. Section 4 of TNPWH Act, in Crime No.15 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to the property dispute, on 28.01.2024 at about 10.00 a.m., the accused persons attacked the defacto complainant and his family members, scolded them using filthy language and also threatened them 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, it is a case and counter case and the counter case has been registered in Crime No.16 of 2024 and the injured are discharged from the hospital. So, he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that it is a case and counter case and the injured are discharged from the hospital. Hence, he has no



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objection 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 counter case and the injured is discharged from the hospital, 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 Judicial Magistrate No.I, Kulithalai, Karur District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 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;



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(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., for a period of two weeks and thereafter, they shall report before the respondent Police as and when required;

(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/-
16/02/2024

/ TRUE COPY /

/02/2024

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

INDU

TO

1.THE JUDICIAL MAGISTRATE NO.I, KULITHALAI, KARUR DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3.THE INSPECTOR OF POLICE
CHINTHAMANIPATTI POLICE STATION,
KARUR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.2438 of 2024

Date :16/02/2024

RK/VR (26/02/2024) 5P / 5C

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