



CRL OP(MD) No.2589 of 2024

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

Tuesday, the Twentieth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 PARAMAN.C

2 SARASU @ KARUPAYE

3 MUTHAIYA.S

4 ASHOK KUMAR

5 MANIKANDAN

6 MAYILSAMY

7 MUTHUKARUPPAN

8 S.MANIKANDAN ... PETITIONERS / ACCUSED Nos 1 to 8

Vs

THE INSPECTOR OF POLICE
VIKKIRAMANGALAM POLICE STATION,
USILAMPATTI,
MADURAI DISTRICT.
CR.NO.18/2024

... RESPONDENT / COMPLAINANT

For Petitioner : MR.KRISHNAVENI.P, Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

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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.

ORDER : The Court Made the following order :-

The petitioners / Accused Nos.1 to 8, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 427, 506 (ii) and 379 (NP) of I.P.C in Crime No.18 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel arose between the petitioners and the defacto complainant, the petitioners entered into the defacto complainant's house and attacked the defacto complainant and abused him by using filthy language and also threatened him with dire consequences and also damaged the house hold articles belonged to him. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they are innocent persons. She would submit that the petitioners and the defacto complainant are neighbours. She would further submit that the petitioners are ready to replace the damaged door of the defacto complainant's house and hence, she prays for



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anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit no one sustained injuries. He would further submit that there is no previous case pending against Accused Nos.1, 2 and 5. He would further submit that Accused No.3 is having 11 previous cases, Accused No.4 is having four previous cases, Accused No.6 is having three previous cases. Accused No.7 is having two previous cases and Accused No.8 is having two previous cases and now all these cases are pending against them. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners herein.

5. At this juncture, the learned counsel appearing for the petitioners would submit that she is not pressing this Criminal Original Petition with regard to petitioner No.3 and she has also made an endorsement to that effect.

6. In view of the endorsement so made by the learned counsel appearing for the petitioners, this Criminal Original Petition is dismissed as not pressed insofar as the third petitioner is concerned.

7. Considering the facts and circumstances of the case and also considering the fact that no one sustained injuries, this Court is inclined to grant anticipatory bail to the petitioner Nos.1, 2 and 4 to 8.



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8. Accordingly, the petitioner Nos.1, 2 and 4 to 8 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 I, Usilampatti, on condition that the petitioner Nos.1, 2 and 4 to 8 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). as per the undertaking given by the petitioner Nos.1, 2 and 4 to 8, the petitioner Nos.1, 2 and 4 to 8 shall replace the damaged door of the defacto complainant's house

(b) if the petitioner Nos.1, 2 and 4 to 8 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;

(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 petitioner Nos.1 and 4 to 8 are directed to appear before the respondent

Police for a period of two weeks at 10.30 A.M., and thereafter, as and when required
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for interrogation; the petitioner No.2 is directed to appear before the respondent Police as and when required for interrogation;

(e).the petitioner Nos.1, 2 and 4 to 8, shall not tamper with evidence or witness either during investigation or trial;

(f).the petitioner Nos.1, 2 and 4 to 8 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 petitioner Nos.1, 2 and 4 to 8 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/-
20/02/2024

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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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TSG
TO

- 1 THE JUDICIAL MAGISTRATE NO.I,USILAMPATTI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VIKKIRAMANGALAM POLICE STATION,
USILAMPATTI, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.KRISHNAVENI, Advocate (SR-2110[I] dated 20/02/2024)

ORDER
IN
CRL OP(MD) No.2589 of 2024
Date :20/02/2024

PKP/VR/SAR /23.02.2024/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified
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