



CRL OP(MD) No.2584 of 2024

WEB COPY

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

CRL OP(MD) No.2584 of 2024

1 SELVAKUMAR

2 SUBASHI

... PETITIONERS/ ACCUSED RANK NO.1 & 3

Vs

THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION,
MADURAI. CR.NO.24/2024

... RESPONDENT/COMPLAINANT

For Petitioner : MR.DEEPAK C Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 439 Cr.P.C.

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.24/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for
the alleged offence under Sections 341, 323, 506(i) IPC r/w. Section 4 of TNPHW Act,
2002 in Crime No.24 of 2024, seek anticipatory bail.



CRL OP(MD) No.2584 of 2024

WEB COPY

2.The case of the prosecution is that the due to the dispute regarding jewels, already the defacto complainant made a complaint before the respondent Police on 10.12.2023 against one Shanmugavalli, at that time, she was agreed to return the jewels on 10.02.2024. On 10.02.2024, when the defacto complainant was coming in Auto along with others, the accused persons waylaid the Auto and attacked the defacto complainant and her relatives. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Further, the injured is discharged from the hospital. Hence, he prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor would submit that injured is discharged from the hospital. Hence, he has no objection to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the injured is discharged from the hospital, I am inclined to grant



CRL OP(MD) No.2584 of 2024

anticipatory bail to the petitioner.

WEB COPY

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Peraiyur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), 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 petitioner 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 petitioner shall report before the respondent Police as and when required;

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

(e)the petitioner shall not abscond either during investigation or trial;



CRL OP(MD) No.2584 of 2024

WEB COPY

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/02/2024

/ 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, PERAIYUR,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION,
MADURAI.



CRL OP(MD) No.2584 of 2024

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

+1 CC to M/s.C.DEEPAK, Advocate (SR-2126[I] dated 20/02/2024)

ORDER
IN
CRL OP(MD) No.2584 of 2024
Date :20/02/2024

RK/VR(26/02/2024) 5P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023