



CRL OP(MD) No.2755 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twenty Sixth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 RAMACHANDRAN

2 BALAMURUGAN

3 SETHUDURAI

4 KALAIYARASAN

5 MANI

6 IYAPPAN

7 KUMAR

8 NATARAJAN

9 RASUKUTTY

10 RADHAKRISHNAN

... PETITIONERS / ACCUSED NOS. 1,3 TO 11

Vs

THE INSPECTOR OF POLICE
PAPPANDU POLICE STATION,
THANJAVUR DISTRICT.

CRIME NO.50 OF 2024.

... RESPONDENT / COMPLAINANT

<https://www.mhc.tn.gov.in/judis>



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For Petitioner : MR.T.SEENI SYED AMMA, 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.50 OF 2024 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 353, 506(2) and 109 of Indian Penal Code, 1860, in Cr.No.50 of 2024, seek anticipatory bail.

2. When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent police submits that the petitioners 1 and 5 were already been arrested by the respondent police.

3.The case of the prosecution during the temple festival, wordy quarrel arose between the petitioners and the defacto complainant, due to which, the petitioners abused the defacto complainant in filthy language and also caused injuries to him. Hence the complaint.



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4.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are living in the same locality and they are close relatives.

5.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that there is no previous case is pending against the petitioners and no one has sustained injury in this case.

6. Heard the learned counsel on either side.

7.Since the * **petitioners 1 and 4** are arrested by the respondent police, this Criminal Original Petition is dismissed against the * **petitioners 1 and 4**.

8.Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury in this case, this Court is inclined to grant anticipatory bail to the * **petitioners 2, 3 and 5 to 10** with certain conditions.

9. Accordingly, this Criminal Original Petition is partly allowed and the * **petitioners 2, 3 and 5 to 10** 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, Orathanadu, Thanjavur District, on condition that the * **petitioners 2, 3 and 5 to 10** shall execute a bond for a sum of **Rs 10,000/- (Rupees Ten Thousand Only)** each, with two sureties, each for a like sum



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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 2, 3 and 5 to 10** 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 2, 3 and 5 to 10** 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;

(d) the * **petitioners 2, 3 and 5 to 10** shall not tamper with evidence or witness either during investigation or trial;

(e) the * **petitioners 2, 3 and 5 to 10** 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 2, 3 and 5 to 10** in accordance with law as if the conditions have been imposed and the * **petitioners 2, 3**



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and 5 to 10 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
26/02/2024

(*)For Being Mentioned as per Order of this Court dated 08.03.2024 in CrI.OP(MD).2755 of 2024.

Time is extended for further two weeks for executing sureties, from the date of receipt of a copy of the amended Order.

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/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA
TO
TO BE SUBSTITUTED WITH THE ORDER DATED 26.02.2024 ALREADY DESPATCHED

1 THE JUDICIAL MAGISTRATE,
ORATHANADU, THANAVUR DISTRICT.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.



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- 3 THE INSPECTOR OF POLICE
PAPPANDU POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to S.RAJASEKAR Advocate SR.No.7443(F) DT: 27/02/2024

ORDER
IN
CRL OP(MD) No.2755 of 2024
Date :26/02/2024

PKP/GS/SAR /04.03.2024/ 6P/6 C
ED/ JGB /SAR- (19/03/2024) 6P / 6 C
Madurai Bench of Madras High Court is issuing certified
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