



CRL OP(MD) No.2809 of 2024

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

Thursday, the Twenty Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2809 of 2024

1 J. THAVAMUTHU

2 J. AZHGA KODI

3 J .MALARKODI

... PETITIONERS / ACCUSED NOS. 2 to 4

Vs

THE INSPECTOR OF POLICE
THENKARAI POLICE STATION,
THENI DISTRICT.

CR.NO.21/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.VETRIVEL.P, 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. 21/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-



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The petitioners/A2 to A4, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323 and 506(i) of IPC r/w 4 of TN Prohibition of Harassment Act, in Crime No.21 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that on 14.01.2024, the petitioners abused the defacto complainant, her husband and her son in filthy language and attacked the defacto complainant and caused injuries. Hence, the defacto complainant lodged a complaint before the Law Enforcing Authority.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that it is a case and case in counter and already counter case has been registered against the defacto complainant. Further, the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that it is a case and case in counter. Already counter case has been registered against the defacto complainant and the injured was discharged from the

hospital.

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



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5. Considering the facts and circumstances of the case and also considering the facts that it is a case and case in counter and the injured person has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 Judicial Magistrate Court, Periyakulam, Theni, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) Common Surety 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;

(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 as when required



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for interrogation;

(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;

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

sd/-
22/02/2024

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

DSS
TO

1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM, THENI DISTRICT.



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- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THENKARAI POLICE STATION, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2809 of 2024
Date :22/02/2024

PKP/VR/SAR /29.02.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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