



CRL OP(MD) No.2876 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2876 of 2024

1 MANIKANDAN

2 MANIRAJ

3 V.MANO

4 MARIAMMAL @ SAGAYAMARY

5 PONNU

... PETITIONERS / ACCUSED Nos.1 to 5

Vs

THE INSPECTOR OF POLICE
KALUGUMALAI POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIMENO.27/2024.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.MARIA VINOLA.M, 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.27/2024 ON THE FILE OF THE
RESPONDENT POLICE.

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



CRL OP(MD) No.2876 of 2024

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ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offence under Sections 147, 294(b), 323 and 506(ii) IPC, in Crime No.27 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the grand daughter of the defacto complainant eloped with the second petitioner and on the next day, they were produced before the All Women Police Station, Kovilpatti. The defacto complainant told to her grand daughter to go along with the second petitioner. Subsequently, on 04.02.2024 at about 6.00 p.m., the petitioners attacked the defacto complainant, caused severe pain and threatened her 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, the injured is discharged from the hospital. So, he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that injured is discharged from the hospital. Hence, he has no objection to grant anticipatory bail to the petitioners.



CRL OP(MD) No.2876 of 2024

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5. Considering the facts and circumstances of the case and also considering the fact that 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, Kovilpatti, Thoothukudi 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;

(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 Nos.1 to 3 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

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CRL OP(MD) No.2876 of 2024

respondent Police as and when required and the petitioner Nos.4 and 5 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;

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

sd/-
23/02/2024

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

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CRL OP(MD) No.2876 of 2024

TO
WEB COPY

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

+1 CC to M/s.M.MARIA VINOLA, Advocate (SR-2333[I] dated 23/02/2024)

ORDER
IN
CRL OP(MD) No.2876 of 2024
Date :23/02/2024

PKP/GS/SAR /11.03.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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