



CRL OP(MD) No.2869 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.2869 of 2024

MUTHUPANDI

... PETITIONER/ ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL.
CRIME NO.70/2024.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.SATHYA CHIDAMBARAM.S Advocate

For Respondent : MR.S.MANIKANDAN, Govt. Advocate (Crl. Side)

For Intervener : MR.S.PUGALENDHI, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.70/2024 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

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the alleged offence under Sections 341, 294(b), 323 and 506(i) of IPC in Crime No.70 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a practicing Advocate in Dindigul. On 17.02.2024 at about 8.00 p.m., when the defacto complainant's son namely Solomon riding a bike along with his friend, the petitioner followed them and made horn continuously, abused and threatened the defacto complainant, his son and his son's friend and made quarrel with them. 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. Since the defacto complainant is an Advocate, on behalf of him, Dindigul Bar Association has passed a resolution not to appear any Advocate on behalf of the petitioner and the same was communicated to others through Whatsapp. Further, there is no one sustained injury. Hence, he prays for grant of anticipatory bail.



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4. The learned counsel for the intervenor would submit that the petitioner scolded and attacked the defacto complainant and his son and also snatched two sovereigns of gold chain from the defacto complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) would submit that the investigation is pending in this case and there is no one injured in this case. Hence, he has no objection to grant anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and also considering the allegations levelled against the petitioner and there is no injured in this case, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 No.III, Dindigul, 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



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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 daily at 10.30 a.m., for the period of two weeks and thereafter, he shall appear 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;

(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;



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(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 (CS- I / II /III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1.THE JUDICIAL MAGISTRATE NO.III, DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3.THE INSPECTOR OF POLICE
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL.

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

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-2384[I] dated
26/02/2024)

ORDER

IN

CRL OP(MD) No.2869 of 2024

Date :23/02/2024

RK/GS (11/03/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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