



CRL OP(MD) No.3150 of 2024

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

Monday, the Fourth day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.3150 of 2024

1 SELVARANI

2 PRADEEPKUMAR @ KUTTY

3 JEYAKUMAR

... PETITIONERS/ ACCUSED

Vs

THE INSPECTOR OF POLICE
NARIKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.34 OF 2024.

... RESPONDENT/COMPLAINANT

For Petitioners : MR.S.RAMANATHAN, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.34 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 offence under Sections 294(b), 323, 506(i) of IPC r/w.4 of TNPHW Act, in Crime No.34 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to temple dispute, the petitioners attacked the defacto complainant and abused him using filthy language and also



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threatened him with dire consequences. Hence, the complaint.

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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 and it is a case and counter case and the counter case has been registered in Crime No.33 of 2024 and the petitioners are treated as in-patient. So, he prays for granting anticipatory bail to the petitioners.

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

5.Considering the facts and circumstances of the case and also considering the fact that the injured is discharged from the hospital and it is the case and counter case, 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, Srivilliputhur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, each for a like sum to the satisfaction of the respondent police or the police



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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.2 and 3 shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, he shall report before the respondent Police as and when required and the petitioner No.1 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



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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/-

04/03/2024

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/03/2024

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

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.I, SRIVILLIPUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, NARIKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER IN

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Date :04/03/2024

RS/GS/SAR-(11.03.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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