



CRL OP(MD) No.3219 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3219 of 2024

1 NAGU

2 POTHUMPONNU

... PETITIONERS/ ACCUSED 7 & 14

Vs

THE INSPECTOR OF POLICE
AVIYUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.16 OF 2024.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.G.MARIAPPAN 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.16 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 147, 148, 294(b), 323, 324 and 506(i) IPC and



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Section 4 of Women Harassment Act, in Crime No.16 of 2024, seek anticipatory bail.

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2. The case of the prosecution is that there was a pathway dispute between the petitioners and the defacto complainant, due to which, the petitioners abused the defacto complainant in filthy language and attacked him and his relatives. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the injured was discharged from the hospital.

5. Considering the facts and circumstances of the case and the fact that the injured was 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 learned Judicial Magistrate No.II, Virudhunagar, 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



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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 and when required 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;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC;

sd/-
29/02/2024

/ TRUE COPY /

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

SSB
TO

1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.

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

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

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



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+1 CC to M/s.G.MARIAPPAN, Advocate (SR-2520[I] dated 29/02/2024)

ORDER
IN
CRL OP(MD) No.3219 of 2024
Date :29/02/2024

SA/VR/SAR. /05.03.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.