



CRL OP(MD) No.3336 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.3336 of 2024

KANNAN

... PETITIONER / ACCUSED 1

Vs

THE INSPECTOR OF POLICE
MATTUTHAVANI POLICE STATION,
MADURAI CITY,
MADURAI DISTRICT.
(CRIME NO.103 OF 2024)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.BALAJI, 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.103 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for
the alleged offence under Sections 147, 294(b), 323, 324 and 506(i) IPC and Section 92



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of the Rights of Persons with Disabilities Act, 2016 , in Crime No.103 of 2024, seeks
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anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the neighbour of the petitioner and there is a land dispute pending between their families. While so, on 06.02.2024 at about 10.30 a.m., the mother-in-law of the petitioner and others shouted at defacto complainant regarding the land dispute. On the next day, on 07.02.2024, the petitioner and others way laid the defacto complainant's husband, attacked him and threatened him with dire consequences. 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. Further, it is a case and counter case and the injured is discharged from the hospital. So, he prays for granting anticipatory bail to the petitioner.

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 petitioner.

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 petitioner.



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6. 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.VI, Madurai, 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 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 a period of two weeks and thereafter, he shall report before the respondent Police as and when required;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(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;

(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.VI,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
MATTUTHAVANI POLICE STATION,
MADURAI CITY,
MADURAI DISTRICT.



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

+1 CC to M/s.A.BALAJI, Advocate (SR-2701[I] dated 04/03/2024)

ORDER
IN
CRL OP(MD) No.3336 of 2024
Date :04/03/2024

SA/VR/SAR. /07.03.2024/5P/6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.