



CRL OP(MD) No.3368 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.3368 of 2024

1 SILUVAIKODI
2 ESAKKIAMMAL

... PETITIONERS/ACCUSED NO.2 & 4

Vs

THE INSPECTOR OF POLICE
THISAYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.70/2024.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.V.VIJAYENDIRAN, 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.70/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1 & 2, who apprehend arrest at the hands of the respondent
police for the alleged offence punishable under Sections 147, 294(b), 323, 354 & 506(ii)
IPC in Crime No.70 of 2024, on the file of the respondent Police, seek anticipatory

bail

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



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2.The case of the prosecution is that due to civil dispute, the petitioners abused the defacto complainant in filthy language, attacked and also threatened her with dire consequences. 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 are innocent persons. He would further submit that already this Court granted anticipatory bail to the co-accused. Hence, he prayed to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that investigation in this case is not yet completed.

5.Considering the facts and circumstances of the case and considering the fact that already this Court granted anticipatory bail to the co-accused, 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, Radhapuram, Tirunelveli District, 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(Common surety) for a like sum to the satisfaction of the respondent



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police or the police officer who intends to arrest or to the satisfaction of the learned

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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 first petitioner shall appear before the respondent police daily at 10.30 am., for a period of two weeks and thereafter, as and when required and the second petitioner shall appear 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;



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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.

gns

TO

- 1 THE JUDICIAL MAGISTRATE, RADHAPURAM, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, THISAYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.3368 of 2024
Date :04/03/2024

RS/GS/SAR-(11.03.2024) 4P 5C
Madurai Bench of Madras High Court is issuing
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