



CRL OP(MD) No.3410 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

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1 GOVINDARAJ @ GOVINDARAJAN

2 SUJATHA

3 HARSHAVARTHAN

4 VEERASINGAM

... PETITIONERS/ ACCUSED NO.1 TO 4

Vs

THE INSPECTOR OF POLICE
VADAKADU POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.339 OF 2021.

... RESPONDENT/COMPLAINANT

For Petitioners : MR.MAHESWARAN, 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.339 OF 2021 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, 427 and 506(i) IPC, in Crime No.339 of
2021, seek anticipatory bail.



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2. The case of the prosecution is that the petitioner and the defacto complainant are cose relatives. Due to the dispute regarding partitioning the family property, on 11.09.2021, the petitioners attacked the defacto complainant and others, abused them using filthy language and also threatened them with dire consequences. Hence, the complaint.

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 are discharged from the hospital. So, he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that injured are discharged from the hospital and it is a case and counter case. The counter case has been registered against the defacto complainant and others in Crime No.335 of 2021 and investigation is completed. 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 injured are 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



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period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Alangudi, 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 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 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 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



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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;

(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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ALANGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE, VADAKADU POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-2753[I] dated 05/03/2024)



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ORDER

IN

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Date :04/03/2024

RS/GS/SAR-(11.03.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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