



CRL OP(MD) No.3593 of 2024

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

Wednesday, the Sixth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3593 of 2024

1 S.AMMAKUTTY
2 M.BAHAVATHYAMMAL
3 P.SRINIVASAN

... Petitioners / Accused No.2 to 4

Vs

THE INSPECTOR OF POLICE
SIVANTHIPATTI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.57 OF 2024.)

... Respondent / Complainant

For Petitioners : M/s.S.Suresh, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.57 OF 2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / Accused Nos.2 to 4, who apprehend arrest at the hands of
the respondent police for the alleged offence punishable under Sections 294(b), 323,



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447 and 506 (i) of I.P.C in Crime No.57 of 2024, seek anticipatory bail.

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2. The case of the prosecution is that due to property dispute arose between the petitioners and the defacto complainant, the petitioners herein attacked the defacto complainant. Hence, a case has been registered against the petitioners by the respondent Police.

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 and hence, they prayed for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the injured person has been discharged from the Hospital.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been 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.III, Thirunelveli, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each



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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 are directed to appear 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



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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/-
06/03/2024

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

TSG

To

1.The Judicial Magistrate No.III,
Tirunelveli.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Sivanthipatti Police Station,
Tirunelveli.



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SURESH, Advocate (SR-2832[I] dated 06/03/2024)

ORDER
IN
CRL OP(MD) No.3593 of 2024
Date :06/03/2024

ED/ GS /SAR- (12/03/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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