



CRL OP(MD) No.3899 of 2024

WEB COPY

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

Tuesday, the Twelfth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3899 of 2024

1 SELVI

2 VINOTH PANDIAN

3 VIGNESHPANDIAN

4 RAJESH PANDIAN

... Petitioners / Accused No.1 to 4

Vs

THE INSPECTOR OF POLICE
S.V KARAI POLICE STATION,
TENKASI DISTRICT.
(IN CRIME NO.21/2024.)

... Respondent / Complainant

For Petitioners : M/s.F.Deepak, Advocate

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

For Intervener : Mr.G.Karuppasamy Pandian, Advocate

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.21/2024 ON THE FILE OF
THE RESPONDENT POLICE.



CRL OP(MD) No.3899 of 2024

ORDER: The Court Made the following order :-

WEB COPY

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 506(i), 109, 342, 324, 448, 427 and 379 of IPC in Cr.No.21 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the wife and other petitioners are son of the de-facto complainant and there was a property dispute between them. Thereby, the petitioners attacked the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and it is purely a family dispute, in which, the respondent police vengefully registered the present case against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned counsel for the intervenor vehemently opposed the grant of anticipatory bail stating that the petitioners entered into the defacto complainant premises and also attacked the defacto complainant. Thereby, he sustained injuries.

5.The learned Government Advocate (Crl. side) submitted that it is purely a family dispute and the petitioners are the wife and sons of the defacto complainant and all the petitioners attacked the defacto complainant and thereby, the defacto



complainant sustained injuries. However, he strongly opposed to grant anticipatory bail to the petitioners.

WEB COPY

6.Considering the facts and circumstances of the case and also considering the fact that it appears to be a family dispute between the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, this Criminal Original Petition is ordered and the petitioners 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 Court, Tenkasi, Tenkasi 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 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;



CRL OP(MD) No.3899 of 2024

WEB COPY

(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;

(g)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/03/2024

/ TRUE COPY /

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

SJI



CRL OP(MD) No.3899 of 2024

To

WEB COPY

1.The Judicial Magistrate,
Tenkasi, Tenkasi District.

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

3.The Inspector of Police,
S.V.Karai Police station,
Tenkasi District.

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

+1 CC to M/s.F.DEEPAK, Advocate (SR-3099[I] dated 13/03/2024)

ORDER
IN

CRL OP(MD) No.3899 of 2024

Date :12/03/2024

ED/GS /SAR- (15/03/2024) 5P / 6C

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