



CRL OP(MD) No.4004 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 NAMBIRAJAN

2 (*)NARAYANA MOORTHY @ N.NATARAJA MOORTHY

3 G.MANIKANDAN

4 M.SELVAKUMAR

5 P.PITCHAI

6 P.MARIYAPPAN

7 S.SURESH

... PETITIONERS / ACCUSED 1 TO 7

Vs

THE INSPECTOR OF POLICE
THIRUKURUNGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.71/2024.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.ANAND.R Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)



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

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PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.71/2024 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/ A1 to A7, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections (**)147, 148, 294(b), 323, 324, 506(II) and 379 of IPC in Cr.No.71 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to the vehicle parking issue, the petitioners threatened the defacto complainant and assaulted him with hands. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the earlier issue, the defacto complainant had already been implicated for the offence under Section 4(1)(A) of TNP Act, in which, the petitioners had acted as the informants. Due to which, the defacto complaint picked up a quarrel with the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submitted that apart from this case, one previous case is pending against the petitioners and hence, he strongly opposed the grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that there is no serious allegation made against the petitioners, this Court is



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inclined to grant anticipatory bail to the petitioners with certain conditions.

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6. 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, Valliyoor, 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 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, as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during



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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/-
13/03/2024

(*)(**) Amended as per Order of the Court
dt.28/03/2024 in CrI.MP(MD).3877/2024 in
CrI.OP(MD).No.4004/2024

Further Time granted by this Court to comply
with the condition imposed vide order dated
13.03.2024 in CrI.OP(MD).No.4004 of 2024 is
extended for a period of two weeks from the
date of receipt of amended copy of this order.

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/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO BE SUBSTITUTED WITH THE ORDER DT.13/03/2024 ALREADY
DESPATCHED

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUKURUNGUDI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.P.ANAND, Advocate (SR-4096[I] dated 02/04/2024)

ORDER

IN

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Date :13/03/2024

SA/GS/SAR. /20.03.2024/5P/6C

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SA/VR/SAR. /04.04.2024/5P/6C

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