



CRL OP(MD) No.4003 of 2024

WEB COPY

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4003 of 2024

VELRAJ

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE  
VANNIYAMPATTI VILAKKU POLICE STATION,  
VIRUDHUNAGAR DISTRICT.  
CRIME NO. 32 OF 2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.MAYILVAHANA RAJENDRAN.C, Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate ( Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 32 OF 2024 ON THE FILE OF  
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police  
for the alleged offence punishable under Sections 294(b), 353 and 506(i) IPC in Crime  
No.32 of 2024, seeks anticipatory bail.



CRL OP(MD) No.4003 of 2024

WEB COPY

2.The case of the prosecution is that the defacto complainant is the Executive Officer. The petitioner herein entered into the land, which is belonging to HR & CE and when the same was questioned by the defacto complainant, the petitioner abused him in filthy language and also threatened him with dire consequences. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner herein is the Village Administrative Officer and he is owning the land in dispute. He would also submit that as per the direction of this Court, the petitioner filed an undertaking affidavit. Accordingly, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that as against the illegal act of the petitioner, the present case was registered and subsequent to that, disciplinary proceedings was also initiated by the Enquiry Officer.



**CRL OP(MD) No.4003 of 2024**

WEB COPY

5.The learned counsel appearing for the petitioner filed an undertaking affidavit as follows:-

*6.I respectfully submit that I did not involve the offence as alleged by the prosecution. I filed the above anticipatory bail application before this Hon'ble Court, and the same came up for hearing on 15.03.2024. This Hon'ble Court was pleased to direct me to give an undertaking affidavit to that effect that I should not enter the above said land until the disposal of the civil suit in my favour. I give an undertaking before this Hon'ble Court that I and other family members will not enter into the above said property till the disposal of the civil suit in our favour.*

6.Considering the facts and circumstances of the case and also considering the undertaking affidavit filed by the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Srivilliputhur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) 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



CRL OP(MD) No.4003 of 2024

the satisfaction of the learned Magistrate concerned and on further condition that:

WEB COPY

(a)if the petitioner 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 petitioner shall report before the respondent police as and when required;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.



CRL OP(MD) No.4003 of 2024

WEB COPY

8. However, the Disciplinary Proceedings initiated as against the petitioner shall be concluded as per the Tamil Nadu Government Servants Discipline and Appeal Rules.

sd/-  
27/03/2024

/ TRUE COPY /

/04/2024

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

GNS  
TO

1 THE JUDICIAL MAGISTRATE NO.II  
SRIVILLIPUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE  
VANNIYAMPATTI VILAKKU POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.MAYILVAHANA RAJENDRAN, Advocate ( SR-3845[I] dated  
28/03/2024 )

ORDER  
IN

CRL OP(MD) No.4003 of 2024  
Date :27/03/2024

SS/JGB/SAR- /01/04/2024/5P/6C

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