



CRL OP(MD) No.4104 of 2024

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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.4104 of 2024

1 AYYAMMAL
2 VENNILA

... PETITIONERS/ ACCUSED NO.7 & 8

Vs

THE INSPECTOR OF POLICE
THIRUVERAMBUR POLICE STATION,
TRICHY DISTRICT.
CR.NO.100/2024

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.M.JEGADEESH PANDIAN, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

For Intervenor : MR.A.ROBINSON, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.100/2024 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 147, 148, 109, 294(b), 324 and 506(ii) IPC, in Crime
No.100 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant got married with



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one Vennila in the year 2009 and they blessed with two children. The defacto complainant's elder brother and his wife died leaving behind her two daughters. Thereafter, misunderstanding arose between the defacto complainant and his wife and the defacto complainant's wife warned the defacto complainant not to visit his brother's daughters. Subsequently, on 08.03.2024, when the defacto complainant returned to home after consuming liquor, he was waylaid and attacked by five persons. Due to that, he sustained injury and he was threatened by 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. Actually, the first and second petitioners are mother and daughter. The second petitioner is the wife of the defacto complainant. After their marriage, the defacto complainant used to attack his wife under influence of alcohol, thereby, misunderstanding arose between them. When the defacto complainant returned from TASMACH shop, he had wordy altercation with some persons. Due to that motive, the above occurrence said to have been taken place. Here, the petitioners are no way connected with the alleged occurrence. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that the injured



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is discharged from the hospital. Hence, he has no objection to grant anticipatory bail to the petitioners.

5. The learned counsel for the defacto complainant would submit that due to family dispute between the second petitioner and the defacto complainant, the accused persons attacked the defacto complainant and caused severe injury to him. Hence, he vehemently opposed to grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and also considering the fact that the injured is discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Trichy, 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



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stand automatically cancelled;

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(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 All Women Police Station, Thiruverumbur, daily at 10.30 a.m., for period of two weeks, thereafter, 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) the petitioners shall not enter into the defacto complainant's premises except due process of law.

(g) 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;



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

sd/-
27/03/2024

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/04/2024

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

INDU

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE, THIRUVERAMBUR POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-3830[I] dated 27/03/2024)

ORDER IN

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Date :27/03/2024

RS/JGB/SAR-(10.04.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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