



CRL OP(MD) No.4338 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4338 of 2024

SELVAM

... PETITIONER/RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
THIRVERUMBUR POLICE STATION,
TRICHY DISTRICT.
CRIME NO.98/2024.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.PERUMAL, Advocate

For Respondent : MR.P.KOTTAICHAMY, Government Advocate (Crl.Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.98/2024 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 under Sections 294(b), 323 and 506(i) of IPC in Crime No.98 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Panchayat



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President of Vengoor village. On 23.02.2024, the petitioner went to the Panchayath office at about 1.30 p.m., asked the defacto complainant to the house tax receipt on the vacant site of the Government Poramboke land. When the same was refused by the defacto complainant, he attacked the defacto complainant and scolded him using filthy language and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution. In fact, the petitioner approached the Village Panchayat Office for paying house tax and water tax for his house. He sought one week time to pay the water tax, but the same was refused by the Panchayat Clerk. So, the petitioner contacted the Panchayat President/defacto complainant through phone and sought one week time to pay the water tax, for which, the defacto complainant scolded the petitioner using filthy language. Per contra, the false complaint has been given against the petitioner. Hence, he prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor submitted that there is no one injured in this case. Hence, he has no objection to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the



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fact that there is no one injured in this case, this Court is inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, the petitioner is granted anticipatory bail and he 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.VI, Trichy, 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 the satisfaction of the learned Magistrate concerned and on further condition that:

(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 daily at 10.30 a.m., for the period of two weeks and thereafter, he shall appear before the respondent Police as and when required;



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(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.

sd/-
19/03/2024

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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, THIRVERUMBUR POLICE STATION,
TRICHY DISTRICT.



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

+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-3378[I] dated 19/03/2024)

ORDER

IN

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Date :19/03/2024

RS/JGB/SAR-(01.04.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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