



CRL OP(MD) No.4496 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Thursday, the Twenty First day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4496 of 2024

1 JEYA SURYA

2 PRABHAKARAN

3 R.AJAY

4 JOTHIMANI @ MANIKANDAN

... PETITIONER / ACCUSED No.3-6

Vs

THE INSPECTOR OF POLICE
NAGAMALAI PUDHUKOTTAI POLICE STATION,
MADURAI DISTRICT.

CR.NO.90/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.MANIVANNAN.C Advocate

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

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 90/2024 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



CRL OP(MD) No.4496 of 2024

for the alleged offence under Sections 147, 148 of IPC and 25(1A) of Arms Act, 1959,
in Crime No.90 of 2024, seek anticipatory bail.

WEB COPY

2.The case of the prosecution is that on 13.03.2024 at about 10.00 p.m., on secret informer gave one photo and gave information to the respondent Police that some persons on 25.02.2024 at about 10.00 p.m., assembled near Thevar Statue, Keelakuyilkudi, with iron sword and cut the cake, created the public nuisance. Hence, the case.

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. Hence, he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the A3 is having three previous cases and other accused are having no previous cases at their credit. Hence, he has no objection to grant anticipatory bail to the petitioners.



CRL OP(MD) No.4496 of 2024

WEB COPY

5. Considering the facts and circumstances of the case and also considering the allegations made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they 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 No.VI, Madurai, 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.4496 of 2024

WEB COPY

(c)the petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks, thereafter, 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
21/03/2024

/ TRUE COPY /

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

INDU



CRL OP(MD) No.4496 of 2024

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
 - 3 THE INSPECTOR OF POLICE
NAGAMALAI PUDHUKOTTAI POLICE STATION,
MADURAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.C.MANIVANNAN, Advocate (SR-3557[I] dated 22/03/2024)

ORDER
IN
CRL OP(MD) No.4496 of 2024
Date :21/03/2024

SS/JGB/SAR- /02/04/2024/5P/6C

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