



CRL OP(MD) No.4516 of 2024

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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.4516 of 2024

CHELLAMANI @ VELUMANI

... PETITIONER/ACCUSED No.3

Vs

THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION,
THENI DISTRICT.
CR.NO.449/2023

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.KARUPPASAMY PANDIAN 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. 449/2023 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(ii) of IPC in Crime No.449
of 2023, seeks anticipatory bail.



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2.The case of the prosecution is that on 24.12.2023, at about 08.00 p.m, when the defacto complainant was standing at Jangapattu Junction, A1 approached the defacto complainant and demanded him to give his bike to him. When the same was refused by the defacto complainant, a wordy quarrel arouse between them and the petitioner along with the other accused persons abused the defacto complainant in filthy language and attacked him with stone and caused injuries. Hence, the defacto complainant lodged a complaint before the Law Enforcing Authority.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and she has been falsely implicated in this case. He would further submit that the co-accused persons were granted anticipatory bail by this Court in CrI.O.P(MD).No.107 of 2024 on 04.01.2024.

4.The learned Government Advocate (CrI.side) appearing for the respondent Police submitted that the injured was discharged from the hospital.

5. Considering the facts and circumstances of the case and the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, the petitioner is granted anticipatory bail and she is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Theni**, 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 as and when required for interrogation;

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



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investigation or trial;

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(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/-
21/03/2024

/ TRUE COPY /

/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

1 THE JUDICIAL MAGISTRATE,
THENI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.



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3 THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION, THENI DISTRICT.

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

+1 CC to M/s.M.KARUPPASAMY PANDIAN, Advocate (SR-3644[I] dated
25/03/2024)

ORDER
IN
CRL OP(MD) No.4516 of 2024
Date :21/03/2024

SS/VR/SAR- /27/03/2024/5P/6C

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