



CRL OP(MD) No.4535 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

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1 MEENAKSHI SUNDARAM
2 DURGADEVI

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

THE INSPEBCTOR OF POLICE
V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 506/2023

... RESPONDENT/COMPLAINANT

For Petitioners : MR.M.MURUGESAN, Advocate

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

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.506 OF 2023 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, 294(b), 323, 506(ii) and 427 IPC, in Crime
No.506 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioners pledged the jewels with the

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defacto complainant's husband and when they went to the shop of the defacto complainant's husband for redeeming the jewels, a wordy quarrel arose between them and the petitioners assaulted the defacto complainant's husband. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that due to wordy altercation, the defacto complainant's husband attacked the petitioners and thereby, the petitioners made a complaint before the Law Enforcing Agency against the defacto complainant's husband, pursuant to which, he was arrested and he is in jail. As counter blast, the defacto complainant made a complaint against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the defacto complainant's husband was discharged from the hospital and he was arrested based on the complaint made by the petitioners and he is in prison.

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 petitioners.



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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, Ambasamudram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two common 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;

(c) the first petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation and the second petitioner shall report before the respondent police as and when required for interrogation ;

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



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investigation or trial;

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(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

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

ssb

TO

1 THE JUDICIAL MAGISTRATE, AMBASAMUDRAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPEBCTOR OF POLICE, V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

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+1 CC to M/s.M.MURUGESAN, Advocate (SR-3487[I] dated 21/03/2024)

ORDER
IN

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Date :21/03/2024

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

Madurai Bench of Madras High Court is issuing
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