



CRL OP(MD) No.4594 of 2024

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

Friday, the Twenty Second day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4594 of 2024

S.BALASUBRAMANIAN

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION,
MADURAI.
CRIME NO.109/2024.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.THANGADURAI.N.V, Advocate

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

For Intervener : MR.A.ANANDA RAJ, Advocate

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.109/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-



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The petitioner / Sole Accused, who apprehends arrest at the hands of the respondent Police for the alleged offence punishable under Sections 341, 294(b), 427, 448 and 506(i) IPC in Crime No.109 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are brothers. Due to some property dispute arose between the petitioner and the defacto complainant, the petitioner herein attacked the defacto complainant and damaged the office of the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioner herein attacked the defacto complainant and damaged the articles belonged to the defacto complainant.

5. Today, the petitioner and the defacto complainant are present before this Court. The petitioner tendered his apology to the defacto complainant and the defacto complainant accepted the same. The defacto complainant submits that he did not want any costs from the petitioner and he wants to maintain cordial relationship with the petitioner. The petitioner undertakes before this Court that he will not



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make any quarrel with the defacto complainant in future.

6. Considering the facts and circumstances of the case and also considering the undertaking given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioners 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, Thirumangalam, Madurai District, 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 is directed to appear before the respondent police as and when



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required for interrogation;

(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 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/-
22/03/2024

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

TSG
TO

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION,
MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4594 of 2024
Date :22/03/2024

PKP/JGB/SAR /28.03.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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