



CRL OP(MD) No.4646 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 SANTHIYA DEVI

2 MARUTHAMUTHU

3 JEYAKODI

4 CHELLAMMAL

5 CHANDRAN @ CHANDRASEKAR

6 RAJATHI

... Petitioners / Accused No.1 to 6

Vs

THE INSPECTOR OF POLICE
ALLANGANALLUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.115/2024).

... Respondent / Complainant

P.VIJAYASARATHI

... Petitioner / Intervener
in CRL MP(MD) No.3789 of 2024

For Petitioners : M/s.M.Jerin Mathew, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)



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For Intervener : Mr.S.M.Kadhar, Advocate

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.115/2024 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / Accused Nos.1 to 6, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC in Crime No.115 of 2024, seek anticipatory bail.

2. The case of the prosecution is that when the defacto complainant took bath in the well, there was a wordy quarrel arose between the petitioners and the defacto complainant and the petitioners herein attacked the defacto complainant, due to which, the defacto complainant sustained injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioners and the defacto complainant are close relatives. He would further submit that when the defacto complainant took bath in the well for nearly three hours, the petitioners asked him to come out from the well. But the defacto complainant quarrelled with the petitioners herein and both of them attacked each



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other and the defacto complainant sustained injuries. Due to which, he was admitted in the Government Hospital and after getting treatment, he discharged from the Hospital on 24.03.2024. But, on the very same day evening, he again re-admitted in the Hospital. Hence, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the injured has been discharged from the Government Hospital on 24.03.2024 and on the very same day evening, he again re-admitted in the Hospital.

5. The learned counsel appearing for the intervener would submit that the defacto complainant sustained grievous injuries and hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, injured discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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



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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 petitioner Nos.2, 3 and 5 are directed to appear before the respondent Police for a period of two weeks at 10.30 A.M., and thereafter, as and when required for interrogation and petitioner Nos.1, 4 and 6 are directed to appear before the respondent Police as and when required for interrogation;

(d) the petitioners shall not abscond either during investigation or trial;



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(e).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;

(f).if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
26/03/2024

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

TSG

To

1.The Judicial Magistrate,
Vadipatti.

2.Do through the Chief Judicial Magistrate,
Madurai District.



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3.The Inspector of Police,
Allanganallur Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-3697[I] dated 26/03/2024)

ORDER
IN
CRL OP(MD) No.4646 of 2024
Date :26/03/2024

ED/ JGB /SAR- (04/04/2024) 6P / 6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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