



CRL OP(MD) No.4912 of 2024

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

Thursday, the Twenty Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4912 of 2024

1 KARMEGAM

2 SELVAMANI

3 K RAJA

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
MELAVALAVU POLICE STATION,
MADURAI DISTRICT.

CR.NO.31/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SRIKANTH.S, 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. 31/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / Accused Rank Not known, who apprehend arrest at



CRL OP(MD) No.4912 of 2024

the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 506 (i) and 323 I.P.C. and Section 4 of TNPHW Act, 1998 in Crime No.31 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute pending between the petitioners and the *defacto* complainant, the petitioners herein abused the *defacto* complainant by using filthy language and also gave him life threat. 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 are innocent persons. He would further submit that earlier this Court has granted anticipatory bail to the petitioners on 27.02.2024 and initially, Sections 294(b), 506 (i) and 323 I.P.C were registered against the petitioners. Now, the respondent Police has altered the offence under Sections 294(b), 506 (i) and 323 I.P.C and Section 4 of TNPHW Act, 1998 and hence, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the investigation is going on.



CRL OP(MD) No.4912 of 2024

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5. Considering the facts and circumstances of the case, 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, Melur and 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.4912 of 2024

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(c). the petitioners are directed to appear before the respondent police for a period of two weeks at 10.30 P.M., and 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/-
28/03/2024

/ TRUE COPY /

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

TSG



CRL OP(MD) No.4912 of 2024

TO
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- 1 THE JUDICIAL MAGISTRATE,
MELUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
MELAVALAVU POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.SRIKANTH, Advocate (SR-4066[I] dated 02/04/2024)

ORDER
IN

CRL OP(MD) No.4912 of 2024

Date :28/03/2024

SS/JGB/SAR- /08/04/2024/5P/6C

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