



CRL OP(MD) No.4755 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

CRL OP(MD) No.4755 of 2024

1 J.SATHISHKUMAR

2 J.SURESH @ SURESHKUMAR

3 R.KUMAR

4 RAMAN

5 JEYARAM

6 PETCHI

7 BACKIYAM

... PETITIONERS / ACCUSED 1 TO 7

Vs

THE SUB INSPECTOR OF POLICE
VALANDUR POLICE STATION
VALANDUR
MADURAI DISTRICT.
IN CRIME NO.32/2024.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SELVAKUMAR Advocate

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

For Intervenor : Mr.T.PALANISAMY, Advocate

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



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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.32/2024 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / Accused Nos.1 to 7, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under 109, 147, 148, 294(b), 323, 324, 342 and 506(ii) IPC in Crime No.32 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 attacked the defacto complainant and abused him in filthy language and threatened him with dire consequences. 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. However, on instructions, he would further submit that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.10,000/- to the Rojavanam Trust and 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



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Hospital.

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5. The learned counsel appearing for the intervener would submit that has sustained injuries and he has spent Rs.25,000/- for his treatment.

6. Considering the facts and circumstances of the case and considering the fact that the injured has been 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 No.2, Usilampatti, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), each with two sureties (Common surety) 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).as per the undertaking given by the petitioners, the petitioners shall pay a sum of Rs.10,000/-(Rupees Ten Thousand only) to the credit of Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai, and the proof shall be filed before the trial Court. The concerned Magistrate, after perusing the proof, shall accept the sureties furnished by



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the petitioner;

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(b).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;

(c).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;

(d).the petitioner Nos.1 to 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.6 and 7 shall report before the respondent police as and when required for interrogation;

(e)the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

(g)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;



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(h)if the accused thereafter absconds, a fresh FIR can be registered under

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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 NO.2,
USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
VALANDUR POLICE STATION
VALANDUR
MADURAI DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE,
ROJAVANAM, HOME FOR AGED AND POOR, ULAGANERI,
MADURAI.

+1 CC to M/s.S.SELVAKUMAR, Advocate (SR-3765[I] dated 27/03/2024)



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ORDER
IN
CRL OP(MD) No.4755 of 2024
Date :26/03/2024

SA/VR/SAR. /04.04.2024/6P/7C

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