



CRL OP(MD) No.4977 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

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1 RAJA @ PRAVEEN RAJA

2 SIVASUBRAMANIAN @ SUBRAMANIAN

3 SELVAN

4 PRAVEEN

5 MATHAN

6 HARIRAMAN

... PETITIONERS / ACCUSED 1 TO 6

Vs

THE INSPECTOR OF POLICE
VELLICHANTHAI POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.32/2024).

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SURESH MANICKAM, Advocate

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

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



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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 / A1 to A6, who apprehend arrest at the hands of the respondent Police for the alleged offence punishable under Sections 147, 294(b), 323 and 506 (i) I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act in Crime No.32 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that there was a tussle between the parties during the Temple festival, thereby, the petitioners herein abused the defacto complainant by using filthy language and also threatened him with dire consequences and also attacked him. 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 the petitioners will not interfere with the Temple festival going to be conducted by the defacto complainant and the petitioners undertake before this Court that they will not create any law and order in future during the temple festival.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that no one sustained injuries.

<https://www.mhc.tn.gov.in/judis> 5. The learned counsel appearing for the intervener would submit that the



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petitioner herein attacked the defacto complainant with hands, due to which, he sustained injuries. It is also submitted that the Resolution passed by the Kanyakumari Bar Association against the petitioners will be withdrawn.

6. Considering the facts and circumstances of the case and in view of the above undertaking of the petitioner, this Court is inclined to grant anticipatory bail to the petitioners. The petitioners may appear before the concerned Court to execute the sureties.

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, Eraniel 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 (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). 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;



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(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 petitioners are directed to appear before the respondent police daily at 10.30 P.M., until further orders;

(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;



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(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
TO
1 THE JUDICIAL MAGISTRATE,
ERANIEL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE
VELLICHANTHAI POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-3929[I] dated 28/03/2024)

ORDER IN
CRL OP(MD) No.4977 of 2024
Date :28/03/2024

SA/VR/SAR. /05.04.2024/5P/6C

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