



CRL OP(MD). No.5712 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5712 of 2024

1. Vijay

2. Govindaraj,

... Petitioners/ Accused No.2 & 4

Vs

State represented by
The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No.90/2024)

...Respondent/ Complainant

For Petitioners :Mr.K.RAJESHWARAN
Advocate.

For Respondent : Mr.P.KOTTAICHAMY
Government Advocate (Crl. side)

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

PRAYER :- For Anticipatory Bail in Crime No.90 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) of IPC in



CRL OP(MD). No.5712 of 2024

Crime No.90 of 2024, dated 07.04.2024, on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2.The case of the prosecution is that the wives of A-1 and the de-facto complainant are sisters. The petitioners are the friends of A-1. A-1 is having a grievance with the de-facto complainant, claiming that he is misbehaving with his wife. Therefore, A-1 has warned the de-facto complainant. Despite this, the de-facto complainant continued to have a relationship with the A-1's wife. On account of which, A-1 along with the petitioners are said to have abused the de-facto complainant in filthy language and attacked over the head by wooden log and the A-2 caused cut injuries in the right hand by using knife.

3.The learned counsel appearing for the petitioners submits that the petitioners have not indulged in such criminal activities. However, the respondent police has falsely implicated the petitioners in this case.

4.The learned Government Advocate (Crl. side) for the respondent raised serious objection stating that the de-facto complainant sustained grievous cut injury in his hand and sustained fracture on his leg. Further, he submitted that the victim has been discharged from the hospital on 12.04.2024.

5.Considering the facts and circumstances of this case and the victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the



CRL OP(MD). No.5712 of 2024

petitioners.

WEB COPY

6. Accordingly, this criminal original petition is allowed and the petitioners is 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, Devakottai, Sivagangai District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Devakottai, Sivagangai District, and on further conditions that:

- i. The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioners shall appear before the respondent police daily at 10.30 am for a period of fifteen days. They have to co-operate for the investigation.
- iii. The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioners, the



CRL OP(MD). No.5712 of 2024

WEB COPY

respondent police shall move an application for cancellation of
the anticipatory bail.

sd/-
15/04/2024

/ TRUE COPY /

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

JBR
TO

1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.K.RAJESHWARAN, Advocate (SR-4432[I] dated 15/04/2024)



WEB COPY



CRL OP(MD). No.5712 of 2024

ORDER
IN
CRL OP(MD) No.5712 of 2024
Date :15/04/2024

SA/JGB/SAR. /22.04.2024/5P/6C

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