



CRL OP(MD). No.6492 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6492 of 2024

G.Mano

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Maignanapuram Police Station,
Thoothukudi District
Crime No. 18 of 2024.

... Respondent/Complainant

For Petitioner : Mr.V. Panneer Selvam, Advocate

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 18 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent



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Police, in connection with a case in Crime No.18 of 2024, for the offence punishable under Sections 294(b), 323 and 506(ii) IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to the dispute in the management of the temple, the petitioner along with other accused assaulted the defacto complainant. Hence, the case.

3. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner and other co-accused were already granted with anticipatory bail as per the order of this Court in Crl.O.P(MD) No.2260 of 2024, dated 14.02.2024. While granting anticipatory bail, on considering the objection made by the defacto complainant and nature of injury, this Court directed the petitioners therein to pay a sum of Rs.30,000/- directly to the defacto complainant. Since the petitioner has not complied with the condition, he has moved a petition seeking modification of condition and the same was dismissed by this Court. Therefore, again seeking anticipatory bail, the petitioner has moved this petition.



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4.The learned counsel for the petitioner submitted that he is an innocent person and he has not committed any offence as alleged by the prosecution. Though the petitioner was already granted with anticipatory bail as per the order of this Court in CrI.O.P(MD) No.2260 of 2024, dated 14.02.2024, he could not comply with the condition within the stipulated time. Now, he is ready to pay a sum of Rs.10,000/- to the petitioner. Hence, he prays to release the petitioner on anticipatory bail.

5.It appears that there was a dispute between the parties in respect of management of the temple. In the said occurrence, the victim was injured. When the petitioner and co-accused moved the petition for anticipatory bail, they have voluntarily agreed to pay a sum Rs.30,000/- to the defacto complainant. On that ground, this Court granted anticipatory bail to the petitioners therein. However, the petitioner could not comply with the condition therein and the modification petition filed by him was also dismissed by this Court. Now seeking anticipatory bail, he has filed this petition and he is ready to pay a sum of Rs.10,000/- to the defacto complainant.

6.Considering the facts and circumstances of the case and also considering the readiness of the petitioner to pay a sum of Rs.10,000/- to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner.



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7. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate on condition that

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Sathankulam;**

(ii) The petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the defacto complainant before the trial Court, without prejudice to his rights and contentions before the trial Court and on production of proof of acknowledgement, the learned Magistrate shall accept the sureties

(iii) The petitioner 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 and

(iv) The petitioner shall appear before the respondent police daily at 10.30a.m., for a period of two weeks, thereafter, shall appear before the respondent Police as and when required for interrogation. The petitioner has to co-operate for the investigation.

(v) The petitioner shall not misuse the liberty granted to him by indulging in



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any further offence and shall not tamper with the prosecution witnesses.

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(vi) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

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

PNM

TO

1 THE JUDICIAL MAGISTRATE NO.I
SATHANKULAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION, THOOTHUKUDI DISTRICT

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

+ 1 CC TO Mr.V. Panneer Selvam, Advocate IN SR No.22870(F) dated 26/04/2024

ORDER

IN

CRL OP(MD) No.6492 of 2024

Date :26/04/2024

SS/JGB/SAR- /02/05/2024/5P/6C

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