



CRL OP(MD). No.6442 of 2024

WEB COPY

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

Date : 13/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6442 of 2024

1. Kali @ Kaliraj,

2. Manoj,

... Petitioners/ Accused 1 & 5

Vs.

The Inspector of Police,
Allinagaram Police Station,
Theni District.
Crime No.112/2024..

... Respondent/Complainant

For Petitioners : Mr.M.Murugesan,
Advocate.

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

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

PRAYER :-For Anticipatory Bail in Crime No.112/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.112 of 2024 for the offence under Sections 147, 341, 294 (b), 323, 353 and 307 I.P.C, have filed this petition, seeking anticipatory bail.



CRL OP(MD). No.6442 of 2024

WEB COPY

2. The case of the prosecution is that the petitioners and other accused unlawfully assembled together and attacked the defacto complainant and another by hand and also threatened them.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.Side) appearing for the respondent raised objections that the petitioners, who are arrayed as A1 and A5, were in possession of Ganja and they are also having adverse antecedents. At the time of inspection, the accused persons assaulted and threatened the defacto complainant, who is working as the Head Constable, P.E.Wing, Theni and therefore another case has been registered as against the petitioners in Crime No.362 of 2024 and the petitioners fled away the scene of occurrence. The investigation is yet to be completed.

5. Considering the rival submissions made, this Court already granted interim anticipatory bail to the petitioners to report before the respondent police, Prohibition



CRL OP(MD). No.6442 of 2024

Wing for enquiry and the investigation is conducted by Allinagaram Police Station, Theni District and they are not in a position to collect sufficient materials as against the accused.

6. Considering the facts and circumstances of the case and considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners 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 concerned learned Judicial Magistrate, on condition that

(i) the petitioners 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, ITheni;

(ii) 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;

(iii) The petitioners shall appear before the respondent police daily morning at 10.30 am for a period of 30 days and the petitioners shall also appear before the



CRL OP(MD). No.6442 of 2024

Inspector of Police, P.E.Wing, Theni, daily evening at 05.30 p.m, for a period of one week and thereafter they shall appear as and when required by the police. They have to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

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

sd/-
13/06/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

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



CRL OP(MD). No.6442 of 2024

WEB COPY
COPY TO:

THE INSPECTOR OF POLICE,
P.E.WING, THENI.

+1 CC to M/s.M,MURUGESAN, Advocate (SR-6563[I] dated 18/06/2024)

ORDER

IN

CRL OP(MD) No.6442 of 2024

Date :13/06/2024

SS/JGB/SAR- /25/06/2024/5P/7C

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