



CRL OP(MD).No.7076 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

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Elangovan

... Petitioner/ Accused No.2

Vs.

The State rep. by
The Inspector of Police,
Pasupathipalayam Police Station,
Karur Distict.
(Crime No.202 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.S.MUTHUMALAIRAJA
Advocate.

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

For Intervenor : Mr.M.BALA MURUGAN, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.202 of 2024 on the file of the
Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 427, 506(ii) IPC, in Crime No.202 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute between the petitioner and the defacto complainant, on 27.04.2024 the petitioner and other accused persons trespassed into the defacto complainant's house and abused him in filthy language and threatened him and also assaulted him and caused simple injury. Further, the petitioner and others have also damaged the household articles in the house of the complainant worth about Rs.25,000/-. Hence, the case has been registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he seeks to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner and others trespassed and abused the defacto complainant in filthy language and threatened the defacto complainant with dire consequences. Further, the petitioner has also damaged the household articles in the house of the complainant. However, he would further submit that no one sustained injuries in the said occurrence.



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5. Taking into consideration the facts and circumstances of the case and also considering the fact that no one sustained injuries in the said occurrence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of 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 No.I, Karur, Karur District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[C] the petitioner shall make a non refundable deposit of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of the Headmaster, Panchayat Union Middle School, LKB Nagar, Sakkimangalam, Madurai in The South Indian Bank Ltd., Sourashtra Colony, Meenatchi Nagar, Sakkimangalm, Madurai - 625 201 Account No.0733053000000794 IFSC No.SBIL0000733, without prejudice to his contentions



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and rights before the trial Court. This fund will be utilized for purchasing 30 sets of benches & desks for the Tribal students under 'Namakku Naame' scheme. On such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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].

[g]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/05/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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VSD

TO

1 THE JUDICIAL MAGISTRATE NO.1,
KARUR, KARUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
PASUPATHIPALAYAM POLICE STATION,
KARUR DISTRICT.

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

COPY TO:

THE HEADMASTER,
PANCHAYAT UNION MIDDLE SCHOOL,
LKB NAGAR, SAKKIMANGALAM,
MADURAI.

+1 CC to M/s.S.MUTHU MALAI RAJA, Advocate (SR-5646[I] dated 23/05/2024)

ORDER

IN

CRL OP(MD) No.7076 of 2024

Date :22/05/2024

SA/JGB/SAR. /27.05.2024/5P/7C

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