



CRL OP(MD)No.7145 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 15.05.2024

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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1.Ganesan

2.Ayyanar

3.Chellapandi

4.Ranjidham

5.Sureshkumar

... Petitioners/ Accused Nos.1 to 5

Vs

The Inspector of Police,  
Sempatti Police Station,  
Dindigul District.  
Crime No.164 of 2024.

... Respondent/Complainant

For Petitioners : M/s.P.SEPANA @ SREE, Advocate

For Respondent : Mr.P.KOTTAI CHAMY,  
Government Advocate (Crl. Side).

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

PRAYER :- For Anticipatory Bail in Crime No.164 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 petitioners/accused 1 to 5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 323, 324, 506 (ii) IPC and Section 4 of Tamil Nadu Women Harassment Prevention Act in Crime No.164 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that during the Temple festival, the petitioners in drunken mode attacked one Sumathi and others. Hence, the complaint.

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

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured has already been discharged from the hospital. He further submit that one previous case is pending against the petitioners 1 and 3 and no previous case is pending against the other petitioners.

5. Taking into consideration the facts and circumstances of the case and also the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, 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



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of a copy of this order, before the learned Judicial Magistrate, Aathoor, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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 are 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].



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[f]If the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-  
15/05/2024

/ TRUE COPY /

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

BTR / GBG  
TO

1 THE JUDICIAL MAGISTRATE,  
AATHOOR.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,  
SEMPATTI POLICE STATION,  
DINDIGUL DISTRICT.

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

+1 CC to M/s.P.SEPANA@ SREE, Advocate ( SR-5509[I] dated 16/05/2024 )



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ORDER  
IN  
CRL OP(MD) No.7145 of 2024  
Date :15/05/2024

SA/GS/SAR. /22.05.2024/5P/6C

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