



CRL OP(MD)No.7119 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

CRL OP(MD)No.7119 of 2024

1.Periyasamy

2.Akilandeswari

3.Tamilselvi

... Petitioners/Rank Not Known

Vs

The Inspector of Police,
Gandhi Market Police Station,
Trichy City
(Crime No.285 of 2024)

... Respondent/Complainant

For Petitioners : Mr.T.Lenin Kumar, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.285 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 offences punishable under Sections (*)294(b), 354(A) & 506(i) of IPC in Crime No.285 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners

abused the defacto complainant in filthy language and also threatened with dire

<https://www.mhc.tri.gov.in/judis>



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consequences. Hence, the complaint.

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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. He would further submit that the first petitioner herein also lodged a complaint as against the defacto complainant, for the very same occurrence.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that no one sustained injuries in the alleged occurrence and there is no previous case pending as against the petitioners.

5.Taking into consideration the facts and circumstances of the case and also the facts that the no one sustained injuries in the alleged occurrence and that there is no previous case pending as against the petitioners, 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 of a copy of this order, before the learned Judicial Magistrate No.V, Trichy 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



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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 10 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].

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

sd/-
15/05/2024

(*)Amended as per Order of the Court
dt.02/07/2024 in CrI.MP(MD).5708/2024 in
CrI.OP(MD).7119/2024 by AANJ.

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/07/2024

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



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TO

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TO BE SUBSTITUTED WITH THE ORDER DT.15/05/2024 IS ALREADY
DESPATCHED

1 THE JUDICIAL MAGISTRATE NO.V, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, GANDHI MARKET POLICE STATION,
TRICHY CITY.

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

+1 CC to M/s.LENIN KUMAR.T, Advocate (SR-7294[I] dated 03/07/2024)

ORDER

IN

CRL OP(MD) No.7119 of 2024

Date :15/05/2024

RS/VR/SAR-(20.05.2024) 4P 6C

SKN

SA/JGB/SAR. /09.07.2024 4P 6C

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