



CRL OP(MD)No.7135 of 2024

WEB COPY

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.7135 of 2024

1.Vijayakumar

2.Mariyappan @ Athiyappan Mariyappan

3.Gurusamy @ Mariyappa Nadar Gurusamy

4.Guruvammal @ Gurusamy Guruvammal ... Petitioners/ Accused Nos.1 - 4

Vs

**The State, Represented through
The Sub Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.
Crime No.80 of 2024.**

... Respondent/Complainant

For Petitioners : Mr.Naresh Prabhu,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.80 of 2024 on the file of the Respondent police.



CRL OP(MD)No.7135 of 2024

WEB COPY

ORDER : The Court made the following order :-

The petitioners/accused 1 to 4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.80 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute between the petitioners and the defacto complainant, the petitioners had attacked the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and due to previous enmity, the case has been registered as against the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured has already been discharged from the hospital and there is no previous case pending against the 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 and there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD)No.7135 of 2024

WEB COPY

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, Vilathikulam, Thoothukudi District, 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., until further orders.

[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



CRL OP(MD)No.7135 of 2024

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

/ TRUE COPY /

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

GBG

TO

- 1 THE JUDICIAL MAGISTRATE,
VILATHIKULAM, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
MASARPATTI POLICE STATION
THOOTHUKUDI DISTRICT



CRL OP(MD)No.7135 of 2024

WEB COPY

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

ORDER
IN
CRL OP(MD) No.7135 of 2024
Date :15/05/2024

PKP/GS/SAR /20.05.2024/ 5P/ 5C

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