



CRL OP(MD)No.7173 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.7173 of 2024

1.Bose
2.Sasikumar
3.Poosaimalai
4.Aruvagam
5.Valandu

... Petitioners/ Accused 1 to 5

Vs

The Inspector of Police,
Palamedu Police Station,
Madurai District.
Crime No.122 of 2024

... Respondent/Complainant

For Petitioners : Mr.M.Rajendran, Advocate
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.122 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-



CRL OP(MD)No.7173 of 2024

WEB COPY

The petitioners/accused 1 to 5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 506(i) IPC and Section 4 of TNPWH Act in Crime No.122 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 10.05.2024 at about 09.00 pm, due to family dispute, the accused persons abused the de-facto complainant and also attacked her. 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 no previous case against the petitioners 1, 3, 4 and 5 and one previous case is pending against the second petitioner. However, he further submitted that the injured sustained only simple injury and he has been treated as out patient.

5. Consideration the facts and circumstances of the case and considering the fact that the injured sustained only simple injury and he has been treated as out patient, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD)No.7173 of 2024

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, Vadipatti, 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 order.

[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].



CRL OP(MD)No.7173 of 2024

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

WEB COPY
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, VADIPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, PALAMEDU POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.RAJENDRAN, Advocate (SR-5507[I] dated 16/05/2024)

ORDER IN
CRL OP(MD) No.7173 of 2024
Date :15/05/2024

RS/GS/SAR-(21.05.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023