



CRL OP(MD). No.7199 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. Suman,

2. Naveen,

3. Panjavarnam,

4. Vinothini,

5. Sarathi,

6. Ponnammal,

7. Ariyanatchi,

... Petitioners/ Accused 3 to 9

Vs

The Inspector of Police,
Kattuputhur Police Station,
Trichy District
(Crime No.139 of 2024).

... Respondent/Complainant

For Petitioner : Mr.K.ARUNRAJ,
Advocate.

For Respondent : Mr.K.SANJAI GANDHI,
Government Advocate (CrI.Side)

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



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PRAYER :- For Anticipatory Bail in Crime No.139 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A3 to A9, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 341, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.139 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to pathway dispute, on 05.05.2024, the petitioners abused the defacto complainant in filthy language, attacked him and threatened him with dire consequences. 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 and counter case in Crime No.141 of 2024 is pending against the defacto complainant and others. He would further submit that A1 and A2 were already arrested and released on bail by the trial Court.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposes for the grant of anticipatory bail on the ground that the petitioners attacked the defacto complainant and caused injuries to him. However, he fairly submits that it is a counter case and the injured has already been discharged from the hospital and A1 and A2 were already arrested and released on



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bail by the trial Court.

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5. Taking into consideration the facts and circumstances of the case and also the facts that the injured has already been discharged from the hospital and A1 and A2 were already arrested and released on bail by the trial Court, 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 District Munsif cum Judicial Magistrate, Thottiyam, 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 1 and 2 shall report before the respondent police daily at 10.30 a.m., until further orders; and the petitioners 3 to 7 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



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investigation or trial.

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[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

/ TRUE COPY /

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

SJI
TO
1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THOTTIYAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
KATTUPUTHUR POLICE STATION,
TRICHY DISTRICT

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



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

+1 CC to M/s.K ARUNRAJ, Advocate (SR-5458[I] dated 16/05/2024)

ORDER
IN
CRL OP(MD) No.7199 of 2024
Date :15/05/2024

SA/GS/SAR. /20.05.2024/5P/6C

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