



CRL OP(MD). No.7296 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.K.Jothimani

2.J.Sangeetha

3.Nagajothi

... Petitioners/ Accused Nos.1 to 3

Vs

The State represented by
The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.
(Crime No.82 of 2024)

... Respondent/Complainant

For Petitioners : Mr.B.ARUN,
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.82 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.1 to 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 324 of



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IPC, in Crime No.82 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 08.05.2024 at about 06.30 p.m, the defacto complainant and her uncle went to the first petitioner's house for giving invitation in order to conduct family function. At that time, the first petitioner along with other petitioners abused the defacto complainant in filthy language and attacked the defacto complainant with sickle and caused injuries. When the same was questioned by the parents of the defacto complainant, they also attacked them with stick and caused injuries. 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. He would further submit that the injured persons were discharged from the hospital and no previous case is pending against the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that 5 stitches have been stitched on the head of the defacto complainant. The defacto complainant was admitted in the hospital on 09.05.2024 and she discharged on 14.05.2024. Another two injured persons were also discharged from the hospital and no previous case is pending against the petitioners.

5. Taking into consideration the facts and circumstances of the case and also the



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fact that the injured persons were discharged from the hospital and no previous case is pending 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, Paramakudi, 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 twice at 10.30 a.m & 05.30 p.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



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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

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

DSS

TO

1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
NAINARKOIL POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.B.ARUN, Advocate (SR-5469[I] dated 16/05/2024)



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ORDER
IN
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Date :15/05/2024

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

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