



CRL OP(MD). No.7297 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.Muthumurugan

2.Ramakrishnan

3.Velmurugan

4.Ramachandran

... Petitioners/ Accused Nos.1 to 4

Vs

The State represented by
The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.
(Crime No.120 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.A.Karthigaivel,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.120 of 2024 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioners/A.1 to A.4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 186, 504, 506(i) I.P.C., r/w Section 3 of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959, in Crime No.120 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Village Administrative Officer, Allalapperi Group, Virudhunagar District. On 05.10.2024, the defacto complainant has given a complaint before the respondent police against the petitioners under the Mines and Minerals Act, due to that motive, the petitioners fixed the wall posters by defaming the reputation of the defacto complainant in and around the village. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocents 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 the petitioners 1 to 3 are not having any previous case. The fourth petitioner is having one previous case under the Mines and Minerals Act.

5. Considering the facts and circumstances of the case and also the nature of



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allegations levelled 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.II, Virudhunagar, 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., for a period of 30 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 petitioner in accordance with

law as if the conditions have been imposed and the petitioners are released on bail by
<https://www.mhc.tn.gov.in/judis>



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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.

DAS
TO

- 1 THE JUDICIAL MAGISTRATE NO.II
VIRUDHUNAGAR
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUANGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
KARIYAPATTI POLICE STATION, VIRUDHUNAGAR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.KARTHIGAIVEL. A, Advocate (SR-5515[I] dated 16/05/2024)

ORDER
IN
CRL OP(MD) No.7297 of 2024
Date :15/05/2024

PKP/GS/SAR /22.05.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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