



CRL OP(MD). No.7306 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.S.Moorthy @ Krishnamoorthy

2.P.Thangavel

... Petitioners/ Accused Nos.2 & 3

Vs

The State represented by
The Inspector of Police,
Guzilamparai Police Station,
Dindigul District.
(Crime No.166 of 2024)

... Respondent/Complainant

For Petitioners : Mr.M.INIYAVAN,
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.166 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A.2 & A.3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 506(ii), 109 and 120(B)

IPC and Section 4 of TNPHW Act, in Crime No.166 of 2024, on the file of the

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



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respondent police, seek anticipatory bail.

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2. The case of the prosecution is that there was a wordy quarrel arose between the petitioners and the defacto complainant, due to which, the petitioners abused the defacto complainant in filthy language, attacked him and his grandmother and also threatened them with dire consequences. 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 no one was injured in this occurrence. He would further submit that the first accused was arrested and released on bail.

5. Taking into consideration the facts and circumstances of the case and also the facts that no one was injured in this case and the first accused has already been arrested and released on bail, 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 Judicial Magistrate, Veda sandur, Dindigul District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-



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(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 petitioner 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].



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

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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,
VEDASANDUR, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
GUZILAMPARAI POLICE STATION,
DINDIGUL DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.7306 of 2024
Date :15/05/2024

SA/GS/SAR. /23.05.2024/5P/C

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