



CRL OP(MD). No.7362 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.7362 of 2024

1. Dhanush @ Thanush,

2. Siva,

3. Alagarsami @ Alagarsamy,

4. Balammal,

5. Chandra @ Chandira,

6. Sridevi,

... Petitioners/ Accused 1 to 6

Vs

The Inspector of Police,
Thenkarai Police Station,
Theni District.
Crime No.219/2024..

... Respondent/Complainant

For Petitioners : Mr.Vishnu J.,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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



CRL OP(MD). No.7362 of 2024

PRAYER :- For Anticipatory Bail in Crime no.219 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) I.P.C r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.219 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive,the petitioners trespassed into the house of the defacto complainant and attacked him and his wife and also threatened him. 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 injured has already been discharged from the hospital.



CRL OP(MD). No.7362 of 2024

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5. Taking into consideration the facts and circumstances of the case and also the fact that the injured has already been discharged from the hospital, 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, Periyakulam, Theni District, 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 two weeks and thereafter, as and when required for interrogation.



CRL OP(MD). No.7362 of 2024

[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]**.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/05/2024

/ TRUE COPY /

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

LS



CRL OP(MD). No.7362 of 2024

TO

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- 1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM, THENI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THENKARAI POLICE STATION, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.7362 of 2024

Date :22/05/2024

SS/JGB/SAR- /27/05/2024/5P/5C

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