



CRL OP(MD)No.7592 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.7592 of 2024

1.Thangapandi

2.Vanumamalai

3.Utchimakali

... Petitioners / Accused Nos.1,2 & 5

Vs

State represented by
The Inspector of Police,
Panagudi Police Station,
Panagudi,
Tirunelveli District.
(Crime No.422 of 2024)

... Respondent/Complainant

For Petitioners : Mr.N.Vignesh, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

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

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



CRL OP(MD)No.7592 of 2024

PRAYER:- For Anticipatory Bail in Crime No.422 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), 352 & 506(2) of IPC in Crime No.422 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a dispute with regard to conduct of the programme in Arulmigu Subramania Swamy Temple, Valliyoor. On 16.05.2024 at about 11.45 pm, at the instigation of Aathi Pandi, the petitioners and other accused abused the defacto complainant in filthy language and assaulted him. 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 further submitted that it is a case in counter case.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that injured has already been discharged from the hospital.

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.



CRL OP(MD)No.7592 of 2024

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, Valliyoor, 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.

[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 petitioner is 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].



CRL OP(MD)No.7592 of 2024

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

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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.

RMI
TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
PANAGUDI POLICE STATION,
PANAGUDI,
TIRUNELVELI DISTRICT.

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



CRL OP(MD)No.7592 of 2024

+1 CC to M/s.N.VIGNESH, Advocate (SR-5611[I] dated 22/05/2024)

ORDER
IN
CRL OP(MD) No.7592 of 2024
Date :22/05/2024

SA/VR/SAR. /24.05.2024/5P/6C

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