



CRL OP(MD). No.7706 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.7706 of 2024

1. J.Lourdusamy,

2. L.Ananth,

... Petitioners/ Accused

Vs

The Sub Inspector of Police,
Thogur Police Station,
Thanjavur District.
Cr.No.131/2024.

... Respondent/ Complainant

For Petitioners : Mr.A.Punithan,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.131 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



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the alleged offences punishable under Sections 294(b) and 506(2) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.131 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute arose between the petitioners and the defacto complainant, the petitioners herein abused the defacto complainant by using filthy language and attacked her and threatened her with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons 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 sustained injury.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that no one sustained injury, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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, Thiruvaiyaru, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 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.



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[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 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]**.

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

sd/-
23/05/2024

/ TRUE COPY /

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

TSG

TO

1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



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3 THE SUB INSPECTOR OF POLICE
THOGUR POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.T.A.PUNITHAN, Advocate (SR-5755[I] dated 24/05/2024)

ORDER
IN

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Date :23/05/2024

SS/JGB/SAR- /29/05/2024/5P/6C

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