



CRL OP(MD). No.7962 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.05.2024

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

CRL OP(MD). No.7962 of 2024

1.K.Vigneshkumar
2.Selvalakshmi
3.K.Santhi

... Petitioners 1 to 3/ Accused 1 to 3

Vs

The State represented by
The Sub Inspector of Police,
Thiruthangal Police Station,
Sivakasi, Virudhunagar District.
Crime No.161 of 2024

... Respondent/ Complainant

For Petitioners : Mr.G.Mohankumar,Advocate.
For Respondent : Ms.M.Aasha
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.161 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 to 3, who apprehend arrest at the hands of the

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



CRL OP(MD). No.7962 of 2024

respondent police for the offences punishable under Sections 294(b), 323, 324 and 506

(ii) IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.161 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to family dispute, the petitioners abused the defacto complainant's parents with filthy language and also assaulted them with iron rod. 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.

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

5. Taking into consideration the facts and circumstances of the case and also the fact that the injured have already been discharged from the hospital, this Court is



CRL OP(MD). No.7962 of 2024

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, Sivakasi, 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 11.00 a.m., for a period of four (4) 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 petitioners in accordance with law as

if the conditions have been imposed and the petitioners are released on bail by the

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



CRL OP(MD). No.7962 of 2024

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/-
29/05/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ABR

TO

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



CRL OP(MD). No.7962 of 2024

WEB COPY

+1 CC to M/s.G.MOHANKUMAR, Advocate (SR-5990[I] dated 30/05/2024)

ORDER
IN

CRL OP(MD) No.7962 of 2024

Date :29/05/2024

PKP/GS/SAR /03.06.2024/ 5P/ 6C

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