



CRL OP(MD). No.7966 of 2024

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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.7966 of 2024

1.Selvam
2.Velavan
3.Indra
4.Saraswathi

... Petitioners/ Accused No.1 to 4

Vs

The State represented by
The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.57 of 2024)

... Respondent/Complainant

For Petitioners : Mr.D.Anbarasu,
Advocate.
For Respondent : Mr.A.Albert James,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.57 of 2024 on the file of the Respondent police.



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ORDER: The Court made the following order :-

The petitioners/ A1 to A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 323, 355, 324 of IPC, in Crime No.57 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the petitioners came to the defacto complainant's house regarding the baby shower function, the petitioners used filthy language and also attacked the defacto complainant and due to which, he sustained a simple injury. 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 the injury is simple in nature.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, 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 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/-
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.

MRN

TO

1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



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3 THE INSPECTOR OF POLICE
EMANESWARAM POLICE STATION, RAMANATHAPURAM DISTRICT

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

+1 CC to M/s.D.ANBARASU, Advocate (SR-5956[I] dated 29/05/2024)

ORDER
IN
CRL OP(MD) No.7966 of 2024
Date :29/05/2024

SS/GS/SAR- /03/06/2024/5P/6C

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