



Crl.O.P.(MD) No.7984 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.05.2024

PRESENT

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD) No.7984 of 2024

1.Ganesan

2.Ramkumar

3.Sastha alias Saravana Sastha

4.Manikandan

... Petitioners/ Accused No.1 to 4

Vs.

State represented by
The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
(Crime No.234 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.K.M.Karunakaran, Advocate

For Respondent : Mr.S.S.Madhavan
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.234 of 2024 on the file of the respondent police.



Crl.O.P.(MD) No.7984 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioners/ A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 324, 506(ii) & 379 of I.P.C., in Crime No.234 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to the previous enmity between the de facto complainant's family and the 3rd petitioner/A3 in respect of love marriage between the 3rd petitioner/A3 and the daughter of the de facto complainant's brother Ganesan, on 11.05.2024, at about 23.00 hours, when the de facto complainant and his sister's son Ashok Kumar were standing near Uma Pharmacy, Pandhanallur, the accused came there and kicked the de facto complainant in the leg. At the same time, the public pacified them. Thereafter, when the de facto complainant was going to his house by riding his two wheeler along with the said Ashok Kumar, the accused chased and intercepted them, attacked with sickle and took money and cellphone of the de facto complainant. Thereafter, the de facto complainant was admitted in the hospital with the help of his relatives. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the

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



Crl.O.P.(MD) No.7984 of 2024

petitioners are innocents and they have not committed any offence as alleged by the prosecution and that a false case has been foisted against the petitioners. He would further submit that the de facto complainant was discharged from the hospital. Hence, he would seek anticipatory bail to the petitioners.

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

5. Taking into consideration of 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 subject to the certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of their 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, Thiruvidaimaruthur, Thanjavur 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:



Crl.O.P.(MD) No.7984 of 2024

WEB COPY

[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 30 days 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



Crl.O.P.(MD) No.7984 of 2024

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 petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A of IPC.

sd/-
30/05/2024

/ TRUE COPY /

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

JEN

TO

- 1.THE JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
- 3.THE INSPECTOR OF POLICE,
PANDHANALLUR POLICE STATION,
THANJAVUR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



Crl.O.P.(MD) No.7984 of 2024

WEB COPY

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-6017[I] dated 30/05/2024)

ORDER
IN
CRL OP(MD) No.7984 of 2024
Date :30/05/2024

RK/JGB (03/06/2024) 6P / 6C

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