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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Eighteenth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.7986 of 2024
and
Crl.M.P.(MD)No.5892 of 2024

1. Palanisamy
2. Dinesh
3. Vijayalakshmi
4. Perumal ... Petitioners/Accused Nos.1 to 4

Versus

State rep. by
The Inspector of Police,
Vaiyampatty Police Station,
Vaiyampatty, Manaparai Taluk,
Thiruchirappalli District.
(Crime No.150 of 2024) ... Respondent/Complainant

For Petitioners : Mr.K.Suyambulinga Bharathi
For Respondent : Mr.P.Kottai chamy
Government Advocate (Crl. side)
For Intervenor : Mr.K.Manoharan,Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.150 of 2024 on the file of the Respondent Police.

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ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.150 of 2024, for the offence punishable under Sections 294(b), 323, 324 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are relatives. Due to previous enmity with regard to the land property, the petitioners have attacked the defacto complainant and his family members and also caused injury. Hence, the case.

3. The learned counsel appearing for the petitioners submits that it is a case and counter case. The injured has been discharged from the hospital. Also, he submitted that except A2, all other accused are senior citizens. The second and third petitioners also sustained severe injuries and they have been admitted in the hospital, thereafter, discharged from the hospital. Based on the complaint of the second petitioner, a case has been registered in Crime No.155 of 2024 as against the defacto complainant and two other persons.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that a civil dispute is pending between the parties. Also, he submits that three persons sustained grievous injury.

5. The learned Counsel for the defact complainant submits that the defact complainant and two other persons have sustained severe injuries and he had also produced a photographs to that effect.

6. The Police concerned shall ensure that no further incidents take place on account of the civil dispute between the parties. In order to show his bonafide, the petitioners are directed to file an affidavit of undertaking that they will not indulge in any offence with regard to civil dispute. The petitioners are directed to deposit a sum of Rs.40,000/-(Rupees Forty Thousand only) to the credit of Crime No.150 of 2024 before the learned Judicial Magistrate, Manapparai.

7. Considering the nature of offence and also considering the fact that a civil dispute is pending against them, this Court is inclined to grant anticipatory bail to the petitioners.

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8. Accordingly, this Criminal Original Petition is ordered 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 on condition that

(i) the petitioners execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand)each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Manapparai.

(ii) the petitioners shall deposit of Rs.40,000/-(Rupees Forty Thousand only) to the credit of Crime No.150 of 2024 before the learned Judicial Magistrate, Manapparai, without prejudice to his contentions and rights before the trial Court and on such deposit being made, if the victim is willing to receive the said amount, he/she is entitled to file an appropriate application to withdraw the said amount or otherwise the said amount shall be decided at the time deciding the case under Section 357 of Cr.P.C., by the learned Judicial Magistrate concerned.

(iii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iv) The petitioners shall appear before the Trichy Fort Police Station, Trichy,

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daily at 10.30 a.m., until further orders. They have to co-operate for the investigation.

(v) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(vi) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
18/06/2024

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

JBR

TO

1 THE JUDICIAL MAGISTRATE,
MANAPPARAI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
VAIYAMPATTY POLICE STATION, VAIYAMPATTY,
MANAPARAI TALUK,
TRICHIRAPPALLI DISTRICT

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

COPY TO

THE INSPECTOR OF POLICE
FORT POLICE STATION, TRICHY.

+1 CC to M/s.K.S.KATHIRAVAN, Advocate (SR-6573[I] dated 18/06/2024)

+1. CC to M/S.K.MANOHARAN, Advocate SR.No.6753(I) DT: 20/06/2024)

ORDER
IN
CRL OP(MD) No.7986 of 2024
Date :18/06/2024

PKP/JGB/SAR /27.06.2024/ 6P/ 8C

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

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