



CRL OP(MD). No.7993 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/05/2024

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

CRL OP(MD). No.7993 of 2024

1. Yuvaraj,
2. Lenen,
3. Lenin,

... Petitioners/ Accused 1-3

Vs

The Inspector of Police,
Batalagundu Police Station,
Dindigul District
Cr.No.219/2024.

... Respondent/ Complainant

For Petitioners : M/s.AROKIYA SELVA RAMESH,
Advocate.

For Respondent : Mrs.M.AASHA,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.219 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147,148,448,427, 294(b), 323,324,



CRL OP(MD). No.7993 of 2024

506(ii) of IPC and Section 4 of TNPHW Act and Section 3(1) of TNPPDL Act in Crime

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No.219 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity all the accused person joined together and abused the defacto complainant in filthy language, assaulted and also threatened with dire consequences and also caused damage to the household articles and also damaged the public water tank, hence the case.

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, hence he seek anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that all the accused person joined together and abused the defacto complainant in filthy language, assaulted and also threatened with dire consequences and also caused damage to the household articles and also damaged the public water tank. Hence, she objected to grant anticipatory bail to the petitioners. However she fairly concedes that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD). No.7993 of 2024

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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, Nilakottai, Dindigul District on condition that the petitioner 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 petitioner shall pay a sum of Rs.5000/- directly to the defacto complainant as compensation and on production of proof/ acknowledgement the learned Magistrate shall accept the sureties furnished by the petitioner.

[b]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.

[c]the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[d]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioners shall not abscond either during investigation or trial.

[f]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



CRL OP(MD). No.7993 of 2024

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].

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

sd/-
30/05/2024

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

AAV
TO
1 THE JUDICIAL MAGISTRATE,
NILAKKOTTAI, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT

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

+1 CC to M/s.AROKIYA SELVA RAMESH, Advocate (SR-6009[I] dated
30/05/2024)



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CRL OP(MD). No.7993 of 2024

ORDER
IN
CRL OP(MD) No.7993 of 2024
Date :30/05/2024

SA/JGB/SAR. /03.06.2024/5P/6C

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