



CRL OP(MD). No.9414 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9414 of 2024

1. Arjunan,

2. Ponnammal,

... Petitioners/ Accused 1 & 2

Vs

The Sub Inspector of Police,
Seithunganallur Police Station,
Thoothukudi District.
Crime No.128 of 2024.

... Respondent/ Complainant

For Petitioners : M/s.VILJOEN AJITH.S,
Advocate.

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

For Intervenor : Mr.K.KUMARAVEL, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.128/2024 on the file of the
respondent police

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioners/ Accused, who apprehend arrest at the hands of the respondent



CRL OP(MD). No.9414 of 2024

police for the offences punishable under Sections 294(b), 232, 324, 355, 506(2) and 397 (NP) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.128 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive, the petitioners abused the defacto complainant in filthy language and also attacked him by using Aruval and caused injuries and also snatched the chain, bangles and anklets. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.Side) would submit that the property has not been recovered and the injured was discharged from the hospital. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that the injured was already discharged from the hospital, this Court is 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 their arrest or 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,



CRL OP(MD). No.9414 of 2024

WEB COPY
Srivaikundam, 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 am until further orders.

(c) the petitioners shall not tamper with 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 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]; and;



CRL OP(MD). No.9414 of 2024

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

WEB COPY
229-A IPC.

sd/-
16/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1 THE JUDICIAL MAGISTRATE NO.II,
SRIVAIKUNDAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
SEITHUNGANALLUR POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.S.VILJOEN AJITH, Advocate (SR-8061[I] dated 18/07/2024)



WEB COPY



CRL OP(MD). No.9414 of 2024

ORDER
IN
CRL OP(MD) No.9414 of 2024
Date :16/07/2024

SA/JGB/SAR. /30.07.2024/5P/6C

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