



CRL OP(MD). No.9766 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2024

PRESENT

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

CRL OP(MD). No.9766 of 2024

1. Kundu Malai,

2. Karuppu Raja,

3. Asai,

... Petitioners/ Accused No.1, 2 & 4

Vs

The Inspector of Police,
Narikudi Police Station,
Virudhunagar District
Crime No 104/2024.

... Respondent

For Petitioner : Mr.S.Ramsundar Vijayraj,
Advocate.

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

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



CRL OP(MD). No.9766 of 2024

PRAYER :-
WEB COPY

For Anticipatory Bail in Crime No 104/2024 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners/A1, A2 and A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 452, 294(b), 323, 324, 307, and 506(ii) of IPC and Section 4 of TNPHW Act in Crime No.104 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner and other accused abused the defacto complainant by using filthy language and attacked him with knife and aruval and also criminally intimidated him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that to wreck vengeance, the defacto complainant given a false complaint against the petitioners. Hence, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent



CRL OP(MD). No.9766 of 2024

police strongly opposed this petition, however, he would submit that in this case, the injured has already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured has already been 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 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, Thiruchuli, Virudhunagar District, 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 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 10.00 a.m



CRL OP(MD). No.9766 of 2024

until further orders.

WEB COPY

(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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/07/2024

/ TRUE COPY /

/07/2024

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

SKN

TO

1.THE JUDICIAL MAGISTRATE, THIRUCHULI,
VIRUDHUNAGAR DISTRICT,



CRL OP(MD). No.9766 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE,
NARIKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT

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

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-8088[I] dated 18/07/2024)

ORDER
IN
CRL OP(MD) No.9766 of 2024
Date :18/07/2024

RK/GS (29/07/2024) 5P / 6C

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