



CRL OP(MD). No.10388 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2024

PRESENT

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

CRL OP(MD). No.10388 of 2024

1. Anbukumar,
2. Karuppiah,
3. Vignesh @ Alwar,
4. Abi @ Abirami,

... Petitioners/ Accused

Vs

**The Inspector of Police,
Pallathur Police Station,
Sivagangai District.
Crime No. 85/2024.**

... Respondent/Complainant

For Petitioners : M/s. Saravanakumar.P,Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 85 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent



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police for the offences punishable under Sections 147, 294(b), 323, 324, 427, and 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.85 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, on 29.06.2024, one of the accused drove his two wheeler in a speedy manner. When the same was questioned by the defacto complainant, the petitioners are said to have abused the defacto complainant in filthy language and assaulted the defacto complainant and caused injuries. Further, caused damaged to the Car of the defacto complainant worth about Rs.5,000/-. 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. He would further submit that the injured were discharged from the hospital and no previous case is pending against the petitioners. Further, A2 & A5 were already arrested and released on bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that totally 7 accused are involved in this case. The petitioners herein are arrayed as A3, A4, A6 & A7. The investigation is in preliminary stage. Hence, he strongly opposed to grant anticipatory bail to the petitioners. But, However, he fairly conceded that 2 persons



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have sustained injuries in this case and they were also discharged from the hospital.

Apart from that, no previous case is pending against the petitioners and A2 & A5, the co-accused were already arrested and released on bail.

5.Considering the facts and circumstances of the case and also considering the facts that the injured was discharged from the hospital, no bad antecedent is reported against the petitioners and the co-accused were released on bail, 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, Karaikudi, 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:

(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 for a period of two weeks and thereafter, as and when required for interrogation;

(c)the petitioners shall not tamper with evidence or witness either during



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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;

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

sd/-
12/07/2024

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

DSS
TO

1 THE JUDICIAL MAGISTRATE
KARAIKUDI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

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



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- 3 THE INSPECTOR OF POLICE
PALLATHUR POLICE STATION,
SIVAGANGAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.KALAIYARASI BHARATHI, Advocate (SR-7869[I] dated 12/07/2024)

ORDER
IN
CRL OP(MD) No.10388 of 2024
Date :12/07/2024

PKP/JGB/SAR /22.07.2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified
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