



CRL OP(MD). No.10341 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2024

PRESENT

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

CRL OP(MD). No.10341 of 2024

1.Esakki Durai

2.Muthupandi

... Petitioners/ Accused No.5 & 6

Vs

The Inspector of Police,
Thirukurungudi Police Station,
Tirunelveli District.
(Crime No.169 of 2024)

... Respondent/Complainant

For Petitioners : M/s.S.Sathyachidambaram, 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.169 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A5 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324, 307 and 506(ii)



CRL OP(MD). No.10341 of 2024

IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime

WEB COPY

No.169 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity with regard to worship of god in the temple festival, on 14.06.20243, the petitioners and other accused are said to have abused the defacto complainant in filthy language and assaulted him with knife and caused injuries. Hence, the case.

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. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that due to previous motive, the petitioners and other accused are said to have abused the defacto complainant in filthy language and assaulted him with knife and caused injuries. He would further submit that the petitioners are having 9 previous cases and the investigation is in preliminary stage. Hence, he vehemently, opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the nature of offence, 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



CRL OP(MD). No.10341 of 2024

WEB COPY

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, Valliyoor, Tirunelveli District, 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 Cheranmahadevi Town Police Station 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.10341 of 2024

WEB COPY
229-A IPC.

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

sd/-
11/07/2024

/ TRUE COPY /

/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,
VALLIYOOR, TIRUNELVELI DISTRICT.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUKURUNGUDI POLICE STATION,
TIRUNELVELI DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE,
CHERANMAHADEVI TOWN POLICE STATION,
CHERANMAHADEVI,
TIRUNELVELI DISTRICT.

+1 CC to M/s.S.SATHYACHIDAMBARAM, Advocate (SR-7786[I] dated 11/07/2024)



WEB COPY



CRL OP(MD). No.10341 of 2024

ORDER IN
CRL OP(MD) No.10341 of 2024
Date : 11/07/2024

RS/JGB/SAR-(23.07.2024) 5P 7C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023