



CRL OP(MD). No.11292 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 24/07/2024

PRESENT

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

CRL OP(MD). No.11292 of 2024

1. Packialakshmi,
2. Kamali @ Kamaladevi,
3. Deniailancheran,
4. Marudhupandi,
5. Nandhini @ Nandhini Priyanka,

... Petitioners/ Accused Nos.1to5

Vs

The Inspector of Police,  
Batlagundu Police Station,  
Dindigul District..  
Crime No.300 of 2024.

... Respondent/ Complainant

For Petitioners : R.Santhanam,  
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,  
Government Advocate (Crl.Side)



CRL OP(MD). No.11292 of 2024

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

WEB COPY  
PRAYER :-

For Anticipatory Bail in Crime No. 300 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 115(2), 351(2) of BNS and Section 4 of the Women Harassment Act, in Crime No.300 of 2024, seek anticipatory bail.

2.The case of the prosecution is that when the defacto complainant and her friends were talking, the petitioners questioned about the Sangam and abused the defacto complainant in filthy language and assaulted her with their hands and caused injuries. 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 it is a case and case in counter. Further, the injured was discharged from the hospital and no previous case is pending against the petitioners.

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



**CRL OP(MD). No.11292 of 2024**

WEB COPY

4.The learned Government Advocate(Crl.Side) would submit that the investigation is in preliminary stage. But, however, he fairly conceded that it is a case and case in counter. The injured was discharged from the hospital and no previous case is pending against the petitioners.

5.Considering the facts and circumstances of the case and also considering the facts that it is a case and case in counter, the injured was discharged from the hospital and bad antecedent is reported against the petitioners, 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, Madurai, Dindigul 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;



CRL OP(MD). No.11292 of 2024

WEB COPY

(b)the petitioners shall report before the respondent police as and when required for interrogation;

(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;

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

sd/-  
24/07/2024

/ TRUE COPY /

/08/2024  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



CRL OP(MD). No.11292 of 2024

TO  
WEB COPY

- 1 THE JUDICIAL MAGISTRATE  
NILAKOTTAI DINDIGUL DISTRICT.
- 2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL 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 R.SANTHANAM Advocate SR.No.8440

ORDER  
IN  
CRL OP(MD) No.11292 of 2024  
Date :24/07/2024

MGJ/JGB/05.08.2024/5P/6C  
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.