



CRL OP(MD) No.23622 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23622 of 2023

1 KARTHIK

2 ASHOK RAJA

... Petitioners / Accused No.1 & 2

Vs

THE INSPECTOR OF POLICE
VATHALAI POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
(CRIME NO.222/2023).

... Respondent / Complainant

For Petitioners : M/s.N.Balasubramanian, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (CrI. Side)

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.222/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the
respondent police for the alleged offence under Sections 294(b), 324 and 506(2) of



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IPC in Crime No.222 of 2023, seeks anticipatory bail.

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2.The case of the prosecution is that on 20.12.2023, when the defacto complainant was going to office by the Car, near Mariamman Kovil at Manappalayam Village, the accused drove their vehicle to pose as to dash the Car. When the same was questioned by the defacto complainant, they abused him with filthy language and attacked him with silver bracelet and caused injuries to him. Hence, the defacto complainant lodged a complaint before the Law Enforcing Authority.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that the petitioners usually had a habit of droving a vehicle in a rash and negligent manner in the street. Since, many children would be played in the street, the defacto complainant warned the accused petitioners. Due to that enmity, the said occurrence was happened. However, he fairly conceded that the injured sustained simple injuries and discharged from the hospital.



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5. Considering the facts and circumstances of the case and also considering the fact that the injured person has already been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court at Musiri, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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



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(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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;

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

sd/-
04/01/2024

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/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate,
Musiri.



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2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
Vathalai Police Station,
Tiruchirapalli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.23622 of 2023
Date :04/01/2024

ED/ JGB /SAR- (09/01/2024) 5P / 5 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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