



CRL OP(MD) No.23634 of 2023

WEB COPY

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

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23634 of 2023

1 V SATHISH
(WRONG MENTIONED SATHISH KUMAR IN FIR)

2 V.VISWANATHAN
3 V.PARVATHY
4 S.SIVAKAMI
5 K.GANESAN
6 K.SUBRAMANI
7 S.SUDHA
8 K.SELLAPPAN
9 K.VELUCHAMY
10 K.SATHASIVAM
11 S.MADHAVAN
12 M.SELAPPAN
13 S.LAKSHMI
14 M.GEETHA
15 MURUGAIYAN
16 B.KANNAGI
17 S.SIVASUBRAMANIAM
18 K.BALASUBRAMANI
19 S.SELAMMAL
20 R.NAGARAJ
21 M.SELLAPPAN

... Petitioners / Accused

Vs



CRL OP(MD) No.23634 of 2023

1 THE INSPECTOR OF POLICE
VANGAL POLICE STATION,
KARUR DISTRICT.
(CRIME NO.523/2023)

... Respondent / Complainant

2 ARUMUGAM

... Petitioner / Defacto Complainant
in CRL MP(MD) No.86 of 2024

For Petitioners : M/SN.Shyllappa Kalyan, Advocate

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

For Intervener : Mr.L.Prabakaran, Advocate

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

PRAYER :

FOR ANTICIPATORY BAIL IN CR.NO.523/2023 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 police for the alleged offence punishable under Sections 147, 148, 294(b),
323, 427, 506(2) and 379 of I.P.C. and Section 4 of Tamil Nadu Prohibition of
Harassment of Women Act, 2002 in Crime No.523 of 2023, seek anticipatory bail.



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2. The case of the prosecution is that there was a group clash between the accused and the defacto complainant regarding the Temple and due to which, a wordy quarrel arose between both groups and they attacked each other and the accused stolen the properties. Hence, the defacto complainant made a complaint before the respondent Police and the respondent Police registered the case against the accused persons.

3. The learned counsel appearing for the petitioners would submit that it is a case in counter. The learned counsel appearing for the petitioners would further submit that the petitioners without prejudice their rights, ready to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the Credit of Crime No.523 of 2023 before (*)the learned Judicial Magistrate No.II, Karur District. He would further submit that the respondent Police implicated a false case against the petitioners. The learned counsel appearing for the petitioners would further submit that the petitioners did not commit any offence as alleged by the prosecution and they are innocent persons and thereby, he prays for anticipatory bail.

4. The learned counsel for intervener has no serious objections to grant anticipatory bail to the petitioners herein.



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5. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the investigation is going on.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioners have come forward to deposit a sum of Rs.2,0,000/- (Rupees Two Lakhs only) to the Credit of Crime No.523 of 2023, I am inclined to grant anticipatory bail to the petitioners.

7. 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 No.II, Karur 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 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;



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(b).The petitioners are directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.523 of 2023 before (*)the learned Judicial Magistrate No.II, Karur District.

(c).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;

(d).the petitioner Nos.2, 3, 4, 6, 7, 8, 12, 13, 14, 16 and 19 shall report before the respondent police as and when required for interrogation and the second petitioner Nos.1, 5, 9, 10, 11, 15, 17, 18, 20 and 21 shall report before the respondent Police for a period of two weeks at 10.30 A.M. and thereafter, as and when required for interrogation;

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

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

(g).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;



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

sd/-
08/01/2024

(*)AMENDED AS PER THE ORDER OF THE HONBLE
COURT in CRL MP(MD)No.1011 of 2024 in CRL OP
(MD)No.23634 of 2023 dated 01/02/2024.

TIME GRANTED BY THIS COURT TO COMPLY
WITH THE CONDITION IMPOSED VIDE ORDER
DATED 08.01.2024 IN CRL.O.P.(MD).NO.23634 OF
2023 IS EXTENDED FOR A PERIOD OF TWO WEEKS
FROM THE DATE OF RECEIPT OF AMENDED COPY
OF THIS ORDER.

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

TO BE SUBSTITUTED WITH THE ORDER DATED 08/01/2024 ALREADY
DESPATCHED

1.The Judicial Magistrate No.V,
Karur.

2.The Judicial Magistrate No.II,
Karur.

3.Do through the Chief Judicial Magistrate,
Karur District.



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4.The Inspector of Police,
Vangal Police Station,
Karur District.

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

+1CC to M/SN.Shyllappa Kalyan, Advocate SR.No.1305(I), dated 01/02/2024

ORDER

IN

CRL OP(MD) No.23634 of 2023

Date :08/01/2024

ED/ JGB /SAR- (11/01/2024) 7P / 6C
TTA

ED /SAR- (02/02/2024) 7P / 7C

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