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CRL OP(MD). N



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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.17764 of 2022

Arulmani ... Petitioner/Sole Accused
Vs

The State rep.by,
The Inspector of Police,
K.V Nallur Police Station,
Tenkasi District.
(Crime No.364/2022).

... Respondent/Complainant

For Petitioner : M/s.Thalaimutharasu G,
Advocate.

For Respondent : M/S.K.SANJAI GANDHI,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.364/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 324 IPC in Crime No.364 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute the petitioner said to have attacked the defacto complainant and caused injuries. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that it is a case and counter case and

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the injured has been discharged from the hospital and the investigation of the case is almost completed.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital and that it is case and counter case, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarankovil, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 am for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

sd/-
06/10/2022

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/10/2022

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

TRP



TO

1. THE JUDICIAL MAGISTRATE, SANKARANKOVIL.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3. THE INSPECTOR OF POLICE,
K.V NALLUR POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-10995[I] dated
06/10/2022)

ORDER

IN

CRL OP(MD) No.17764 of 2022

Date : 06/10/2022

RK/GB/SAR- (10/10/2022) 3P/6C