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Crl.OP.No.24153 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

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THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.24153 of 2023

Aravind @ Aravindraaj @ Seval

... Petitioner

Vs.

State by
The Inspector of Police,
Annadanapatty Police Station,
Salem District.
(Crime No.03 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.
praying to enlarge the Petitioner on anticipatory bail concerned in Crime
No.03 of 2023 on the file of the respondent police.

For Petitioner : Mr.R.Radha Pandian

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



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ORDER

The petitioner is the 1st accused in Crime No.03 of 2023 registered by the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC seeks anticipatory bail.

2. It is stated that there was a quarrel between the accused persons and the defacto complainant, leading to assault and injury.

3. It is stated by the learned counsel for the petitioner that the petitioner was an innocent of the said offence and he had been falsely implicated in this case.

4. It is also stated that the 2nd accused had been granted bail and there are five previous cases pending against the petitioner herein.

5. Taking all these factors into consideration, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:



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6. Accordingly, 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 on which the order copy made ready, before the **Judicial Magistrate IV Salem**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[d] the petitioner shall not abscond either during investigation or trial.



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[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC

18.10.2023

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To

- 1.The Judicial Magistrate IV, Salem.
- 2.The Inspector of Police,
Annadanapatty Police Station,
Salem District.
- 3.The Public Prosecutor,
Madras High Court.

C.V.KARTHIKEYAN. J.



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