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

Date : 06/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.3553 of 2023

1. Ganesan,
2. Adakki,
3. Ramu,
4. Pandimeenal,

... Petitioners/Accused 1 TO 4

Vs

The State Rep.by
The Inspector of Police,
Pallathur Police Station,
Sivagangai District
(Crime No.8 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Kannan.V,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

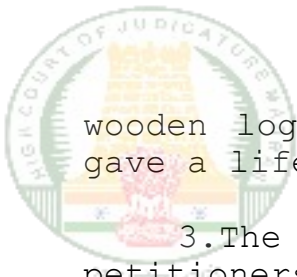
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.8 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324 and 506(ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.8 of 2023, on the file of the respondent police, seek anticipatory bail.



wooden log and empty hand and criminally intimidated her and also gave a life threat to her. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and a false case has been foisted against them. Hence, he would seek for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that on account of wordy quarrel, the petitioners attacked the de-facto complainant and her mother with wooden log and empty hand and criminally intimidated her and also gave a life threat to her. Hence, he vehemently opposed for grant of anticipatory bail.

5.Considering the facts and circumstances of the case, 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 arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Karaikudi, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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.

[b] the first petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation; the petitioners 2 to 4 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].



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[f] If the accused thereafter abscond, a fresh F.I. can be registered under Section 229A IPC.

sd/-
06/03/2023

/ TRUE COPY /

/03/2023

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

TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
PALLATHUR POLICE STATION,
SIVAGANGAI DISTRICT

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

+1. CC to M/S.KANNAN.V Advocate SR.No.3421

ORDER
IN
CRL OP (MD) No.3553 of 2023
Date : 06/03/2023

MGJ/BUC/SAR IV/08/03/2023/3P/6C