



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

Date : 23/03/2023

PRESENT

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

CRL OP(MD). No.4866 of 2023

WEB COPY

Thangaraja @ Koli Thangaraja

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
Cr.No.9/2023.

... Respondent/Complainant

For Petitioner : Mr.C.Susikumar, 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.9/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

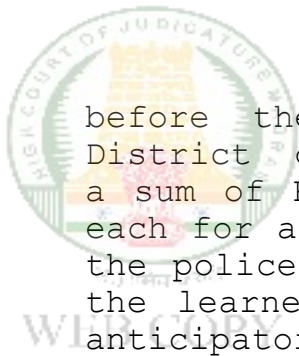
The petitioner/A2, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 323, 427, 379 and 506(i) of IPC in Crime No.09 of 2023 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that on 15.01.2023, due to a wordy quarrel, the accused persons have abused the de-facto complainant in filthy language and also attacked her and her son and criminally intimidated her and stolen a gold chain and damaged her shop and two wheeler. Hence, the complaint

3.Heard both side and perused the materials available on record including the First Information Report.

4.Taking into consideration of the facts and circumstances of the case and also the fact that co-accused were granted anticipatory bail by this Court, this court is inclined to grant anticipatory bail to the petitioner , with certain conditions:

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy made ready,



before the learned judicial Magistrate, Valliyoor, Tirunelveli District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 petitioner shall deposit a sum of Rs.10,000/- to the credit in **(*)Crime No.9 of 2023** on the file of the respondent police and on receipt of the same, the learned Magistrate shall accept the sureties furnished by the petitioner.

[b] 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.

[c] the 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

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

[e] the petitioner 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 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].

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

sd/-

23/03/2023

**(*)AMENDED AS PER ORDER OF THIS
COURT DATED 12.04.2023 IN CRL OP(MD)
NO.4866 OF 2023**

**TIME TO EXECUTE SURETIES IS
EXTENDED BY TWO WEEKS FROM THE DATE
OF RECEIPT OF A COPY OF THIS ORDER.**

/ TRUE COPY /

/04/2023

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

AAV



TO

TO BE SUBSTITUTED WITH THE ORDER DATED 23/03/2023 ALREADY DESPATCHED

1 THE JUDICIAL MAGISTRATE, VALLIYOOR, TIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PAZHAVOR POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 cc to M/S.C.SUSI KUMAR, Advocate SR-5847

ORDER

IN

CRL OP(MD) No.4866 of 2023

Date :23/03/2023

RS/CG/SAR-1(27.03.2023) 3P 5C

RK/SSS/SAR-1(17/04/2023) 3P/6C