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

Date : 20/03/2023

PRESENT

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

CRL OP(MD). No.5156 of 2023

1. Ayyalusamy,

(***)2. Periya Raj @ Veeraih
S/o.Ayyalusamy

(***)3. Veeraraj
S/o.Ayyalusamy

... Petitioners/ Accused NO.1,3 & 4

Vs

The State Rep.by
The Inspector of Police,
Alankulam Police Station,
Viruthunagar District.
(Cr No.27/2023)

... Respondent/Complainant

For Petitioners : M/s.Gopalakrishnan.K,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr No.27/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1, A3 and A4 who apprehend arrest at the hands of the
respondent police for the offences punishable under sections 147,294(b),323,324,506

(ii) of IPC in Crime No. 27 of 2023 on the file of the respondent police, seek



anticipatory bail.

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2. The case of the prosecution as per the de-facto complainant is that due to some dispute regarding cart tract in the land the petitioners herein abused and assaulted the defacto complainant and threatened with dire consequences.

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 the injured has been discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners , with certain conditions:

5. 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 No.II, Sattur on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties(common 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:

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[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 petitioners 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

[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].



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

sd/-
20/03/2023

(*)Amended as per order of this Hon'ble Court
dated 18.04.2023 in CRL MP(MD).6133/2023 in
CRL OP(MD).5156/2023

(**)Being mentioned as per order of this Hon'ble
Court dated 06.06.2023 in CRL OP(MD).5156/2023

Time is extended for further two weeks for
executing sureties, from the date of receipt of a
copy of the amended order.

(***)Amended as per order of the Court dated
10/07/2023 in Crl MP(MD).9532 of 2023 in CRL OP
(MD).5156 of 2023 by GIJ.

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/07/2023

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

TO

TO BE SUBSTITUTED WITH ORDER ALREADY DESPATCHED ON 30.03.2023

TO BE SUBSTITUTED WITH THE AMENDED ORDER ALREADY DESPATCHED
ON 05.05.2023

**TO BE SUBSTITUTED WITH THE AMENDED ORDER ALREADY
DESPATCHED ON 23/06/2023.**

1 THE JUDICIAL MAGISTRATE NO.II,SATTUR.

2 DO THROUGH,

<https://www.mhc.in.gov.in/judis>
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.



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3 THE INSPECTOR OF POLICE
ALANKULAM POLICE STATION,
VIRUTHUNAGAR DISTRICT.

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

+ 1 CC TO M/s.Gopalakrishnan.K, ADVOCATE IN SR No.10426

ORDER
IN
CRL OP(MD) No.5156 of 2023
Date :20/03/2023

MGJ/CG/SAR 1(27.03.2023) 5P 6C
RS/BUC/SAR-1 (04.05.2023) 3P 5C
SJI
PKP/CG/SAR- /21.06.2023/ 5P/5C
INDU
SS/MMS/26/07/2023/4P/6C

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