



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

Date : 11/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.6620 of 2023

WEB COPY

Saravanan

... Petitioner/Accused(Rank Not known)

Vs

The State rep.by,
The Inspector of Police,
Nadukaveri Police Station
Thanjavur District.

Crime No. 373 of 2023. ... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian,
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.373 of 2023 on the file
of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused who apprehends arrest at the hands of
the respondent police for the offences punishable under sections
294(b),302 and 109 of IPC in Crime No. 373 of 2023 on the file of
the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 18.09.2022 when the
defacto complainant was present in the scene of occurrence A1 and
A2 said to have murdered the brother of the defacto complainant
using aruval and knife and fled away from the scene of occurrence,
hence the case.

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

4. It is seen that the petitioner is arrayed as A6. A1 to A4
have taken the two wheeler of the petitioner herein and murdered the
deceased. Only on the confession of the co-accused this petitioner
has been implicated as an accused. Even according to the case of
the prosecution A1 to A4 had taken the two wheeler of the petitioner
and used the same to do away the life of the deceased. Except this
no other allegations has been levelled against the petitioner to
attract the provisions of section 302 of IPC. Taking into
consideration of the facts and circumstances this court is inclined



to grant anticipatory bail to the petitioner , with conditions: in

5. 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 learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District on condition that the petitioner 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 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 daily 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 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].

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

sd/-
11/04/2023

/ TRUE COPY /

/04/2023

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

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TO

1. THE JUDICIAL MAGISTRATE, THIRUVAIYARU, THANJAVUR DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

3. THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION
THANJAVUR DISTRICT.

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

+1 CC to M/s.DHILIPAN PANDIAN R.L, Advocate (SR-5690[I] dated
11/04/2023)

ORDER

IN

CRL OP(MD) No.6620 of 2023

Date :11/04/2023

RK/MMS/SAR-2 (17/04/2023) 3P/6C