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CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.04.2023

PRESENT

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

CRL OP(MD)No.8066 of 2023

1.Ravichandran

2.Mohan @ Rajmohan

3.Suresh @ Sureshkumar ... Petitioners/Accused Nos. 1 to 3

Vs

The State Rep.by
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.344 of 2023)

... Respondent/Complainant

For Petitioners : Mr.R.L.Dhilipan Pandian,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 Crime No.344 of 2023 on the file of the Respondent Police.

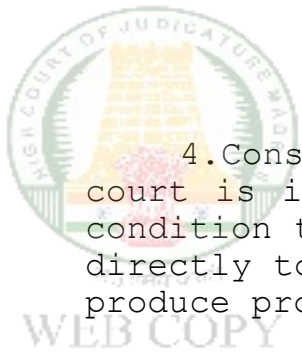
ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 323, 324, 341, 427, 379 & 506(i) IPC in Crime No.344 of 2023, seek anticipatory bail.

2.The case of the prosecution is that due to the some dispute, the petitioners attacked the defacto complainant, abused in filthy language, damaged his car and also taken away his gold chain. Hence the case.

3.Heard both sides and perused the materials available in the record.

<https://www.mhc.tn.gov.in/judis>



4. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners on condition that the petitioners shall jointly pay a sum of Rs.5,000/- directly to the defacto complainant by way of demand draft and shall produce proof for payment before the concerned Court below.

5. On such production of proof for payment, 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, Orathanadu, Thanjavur District, 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 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 Section 229A IPC.

sd/-
28/04/2023

/ TRUE COPY /

/05/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.

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2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM

3 THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8066 of 2023

Date :28/04/2023

PKP/VR/SAR-4/17.05.2023/ **3P/5C**