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CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2023

PRESENT

The Hon`ble **Mrs.Justice T.V.THAMILSELVI**

CRL OP(MD).No.8462 of 2023

Loganathan ... Petitioner/Sole Accused

Vs

State rep., by
The Inspector of Police,
Vellanur Police Station,
Pudukottai District.
(In Cr.No.63 of 2023) ... Respondent/Complainant

For Petitioner : Mr.D.R.Murugesan, Advocate

For Respondent : Mr.S.S.Madhavan
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.63 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC r/w Section 4 of TNPWH Act, in Crime No.63 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 29.04.2023 at about 13.00 hrs when the defacto complainant went to her agricultural field, the accused/petitioner herein scolded her by using filthy language and also assaulted her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.



4. Considering the facts and circumstances of the case, the 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Keeranur, Pudukottai 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 learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar 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 two weeks and thereafter as and when required for interrogation by the respondent police;

(c) the petitioner shall not tamper with the 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]**; and;

(f) if the accused / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/05/2023

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/05/2023

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

vsd



TO

1. THE JUDICIAL MAGISTRATE, KEERANUR, PUDUKOTTAI DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI.

3. THE INSPECTOR OF POLICE,
VELLANUR POLICE STATION,
PUDUKOTTAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8462 of 2023

Date :18/05/2023

RK/SAR-(25/05/2023) 3P/5C