



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/05/2023
PRESENT

WEB COPY

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

CRL OP(MD) . No.8901 of 2023

G.Prabhu

... Petitioner/Accused 4

Vs

State rep., by
The Inspector of Police,
Thirunagar Police Station,
Madurai District.
(In Crime No.279 of 2023)

... Respondent/Complainant

For Petitioner : Mr.M.Vivek Kumar, Advocate
For Respondent : Mr.R.Meenakshi Sundaram
Additional Public PROsecutor

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

PRAYER :- For Anticipatory Bail in Crime No.279 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

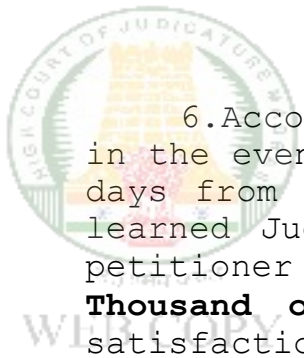
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 114 and 307 of IPC, in Crime No.279 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons abused the defacto complainant using filthy language and also attacked him, thereby, he sustained injuries. 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.The learned Additional Public Prosecutor appearing for the State would submit that the co-accused were released on bail.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused were released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released 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 No.VI, Madurai, 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 twice in a week i.e., on every Sunday and Tuesday at 10.30 am., for a period of three months and thereafter, as and when required for interrogation.

(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/-

17/05/2023

/ TRUE COPY /

/05/2023

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

RMK
TO

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUNAGAR POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8901 of 2023

Date :17/05/2023

SA/MMS/SAR.3/18.05.2023/3P/5C