



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.8984 of 2023

Thangapandi

... Petitioner/Accused

Vs

The State rep.by,
The Inspector of Police,
Ammaiyanaickanur Police Station,
Dindigul District.
Crime No.85 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Babu Jaganath.R,
Advocate.

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.85 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 offence punishable under Sections 147,
148, 394(b), 323, 324, 506(i) of IPC and 4 of WH Act, in Crime No.85
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 had quarreled with the defacto complainant and other
persons in the shop and attacked the defacto complainant and other
persons including the ladies. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has been falsely implicated in this
case. He has not committed any offence as alleged by the
prosecution.

4.The learned Government Advocate (Crl.side) appearing for the
respondent police would submit that the petitioner and the other
accused persons damaged the materials in the shop worth about
Rs.20,000/- and ten persons were attacked by the accused persons.



5. Considering the facts and circumstances of the case considering the nature of the offence alleged, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as non-refundable deposit to the credit of Crime No.85 of 2023 before the learned Judicial Magistrate No.I, Madurai, without prejudice to his rights and contentions.

7. On such deposit being made, 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, 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 Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before respondent police as and when required.

[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].

sd/-
18/05/2023

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/05/2023

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

ssb



TO

1. THE JUDICIAL MAGISTRATE NO.I, MADURAI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
AMMAIYANAICKANUR POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.R.BABU JEGANATH, Advocate (SR-7518[I] dated
18/05/2023)

ORDER

IN

CRL OP(MD) No.8984 of 2023

Date :18/05/2023

RK/SAR- (25/05/2023) 3P/6C