



WEB COPY

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.8930 of 2023

Manivannan

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.239 of 2023)

... Respondent/Complainant

For Petitioner : Mr.Bhagavathsingh.M.S.G,
Advocate.

For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.239 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 offences punishable under Sections 147, 294(b), 353 and 506(1) of IPC in Crime No.239 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 18.04.2023, the petitioner who has applied for birth certificate and two others came to the Melur Taluk Office and abused the defacto complainant, who is the Revenue Inspector in filthy language and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the co-accused were granted anticipatory bail by this Court in Crl.OP (MD)No.7910 of 2023 on 27.04.2023.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the petitioner is having four



previous cases. However, he would fairly concede to the fact that the co-accused were already granted anticipatory bail by this Court.

5. Considering the facts and circumstances of this case, nature of offence alleged and the fact that the co-accused were already granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 Judicial Magistrate, Melur 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 every Wednesday at 10.30 am., for a period of eight weeks 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/-

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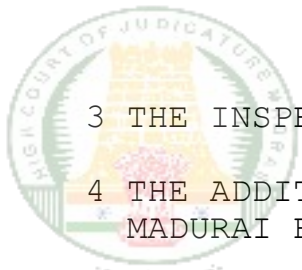
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI

TO

1 THE JUDICIAL MAGISTRATE, MELUR

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.



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3 THE INSPECTOR OF POLICE, MELUR POLICE STATION, MADURAI DISTRICT

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

+1 CC to M/s.G.BHAGAVATHSINGH, Advocate (SR-7496[I] dated
18/05/2023)

ORDER

IN

CRL OP(MD) No.8930 of 2023

Date :18/05/2023

RS//SAR-(25.05.2023) 3P 6C