



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/06/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.9724 of 2023

Bala @ Balamurugan

... Petitioner/Accused No.1

Vs

The State represented by
The Inspector of Police,
Devadanapatti Police Station,
Theni District.
Crime No.147/2023.

... Respondent/Complainant

Alagarsamy

... Petitioner/Intervenor/Victim
in Cr1 MP(MD)No.7881 OF 2023

For Petitioner : M/s.Abdul Kabur.A,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Cr1.Side)

For Intervenor : Mr.A.Ramesh, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.147/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 379(NH), 427 and 506(ii) of I.P.C., in Crime No.147 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the parties with regard to take the vehicle of the de-facto complainant, the petitioner abused the de-facto complainant in filthy language and snatched his 2 sovereigns of gold chain and pushed him down and also caused damage to his car and thereafter, the petitioner tried to assault the de-facto complainant with stone and criminally intimidated him with dire consequences. Hence, the case.



3. Heard. Perused the materials available on record including the First Information Report.

4. Taking into consideration of the facts and circumstances of the case and also the fact that it is a case and case in counter, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

5. Accordingly, the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Crime No.147 of 2023 before the learned Judicial Magistrate, Periyakulam, without prejudice to his rights and contentions.

6. On of 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 on which the order copy made ready, before the learned Judicial Magistrate, Periyakulam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related 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 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 Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

06/06/2023

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/06/2023

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



TO

1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM.

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

3 THE INSPECTOR OF POLICE
DEVADANAPATTI POLICE STATION, THENI DISTRICT.

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

ORDER

IN

CRL OP (MD) No.9724 of 2023

Date :06/06/2023

SS/SSS/12/06/2023/3P/5C