



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

Date : 14/06/2023

PRESENT

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

CRL OP(MD). No.10468 of 2023

Prabudeva

... Petitioner /
Accused rank not known

Vs

State through
The Inspector of Police,
Thirupanandhal Police Station,
Thanjavur District.
(Crime No.288 of 2023).

... Respondent / Complainant

For Petitioner : M/s.Maheswaran R, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.288 of 2023 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands
of the respondent police for the offences punishable under sections
294(b), 353 of IPC and Sections 4(1)(a), 4(1)(k), 4(1)(i) and Section
24 of the Tamilnadu Prohibition Act, in Crime No. 288 of 2023 on the
file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto
complainant is that due to some dispute, the petitioner herein
abused and pushed the defacto complainant.

3. Heard both side and perused the materials available on
record.

4. Taking into consideration of the facts and circumstances
of the case and also the fact that no one sustained injury, this



court is inclined to grant anticipatory bail to the petitioner on the following certain conditions:

7. Accordingly, 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 District Munsif cum Judicial Magistrate, Thiruvidadaimaruthur, Thanjavur District, 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 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 two 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/-
14/06/2023

/ TRUE COPY /

/06/2023

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

LS

<https://www.mhc.tn.gov.in/judis>



To

1.The District Munsif cum Judicial Magistrate,
Thiruvidaimaruthur, Thanjavur District.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Thirupanandhal Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-8707[I] dated 14/06/2023)

ORDER

IN

CRL OP(MD) No.10468 of 2023

Date :14/06/2023

ED/BUC/SAR- (19/06/2023) 3P 6C