



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

Date : 20/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.10938 of 2023

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Karthikeyan @ Karthick

... Petitioner / Sole Accused

Vs

The Inspector of Police,
Town South Police Station,
Thanjavur,
Thanjavur District.
(Crime No.529 of 2023).

... Respondent / Complainant

For Petitioner : M/s.N.Pragalathan, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime no.529 of 2023 on the file of
the Respondent Police.

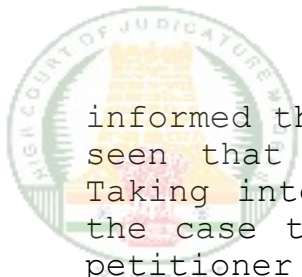
ORDER : The Court made the following order :-

The petitioner/Accused who apprehends arrest at the hands of
the respondent police for the offence punishable under section 306
of IPC in Crime No. 529 of 2023 on the file of the respondent
police, seeks anticipatory bail.

2. The case of the prosecution is that there exists money
dispute between the petitioner and the deceased and on the date of
occurrence when the deceased was consuming liquor the petitioner
herein abused him, due to which the deceased committed suicide by
hanging, hence the case.

3. Heard both side and perused the materials available on
record including the First Information Report.

4. It is seen that the deceased committed suicide by hanging
himself for the reason that he had borrowed a sum of Rs.20,000/-
from the petitioner and he had also returned a sum of Rs.12,500/-.
While being so on 17.05.2023 when the deceased had gone to the
tasmac shop for consuming liquor the petitioner demanded the
loan from the deceased and abused him. Unable to bear the same, the deceased



informed the same to his wife and and committed suicide. It is also seen that the deceased was also under the influence of alcohol. Taking into consideration all the above facts and circumstances of the case this court is inclined to grant anticipatory bail to the petitioner , with certain conditions:

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5. 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 Judicial Magistrate No.I, Thanajvur, Thanjavur District 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 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 am., and 5.30 pm., for a period of four 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/-

20/06/2023

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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 No.I,
Thanjavur, Thanjavur District.

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

3.The Inspector of Police,
Town South Police Station,
Thanjavur, Thanjavur District.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-9176[I] dated 20/06/2023)

ORDER

IN

CRL OP(MD) No.10938 of 2023

Date :20/06/2023

ED/VR/SAR- (23/06/2023) 3P 6C