



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/06/2023
PRESENT

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

CRL OP(MD) . No.11958 of 2023

V.Murugesan,

... Petitioner/Accused 2

Vs

The State rep.by
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
Crime No.146 of 2023.

... Respondent

For Petitioner : M/s.WILLIAM CHRISTOPHER J,
Advocate.

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.146 of 2023 on the file of the Respondent Police.

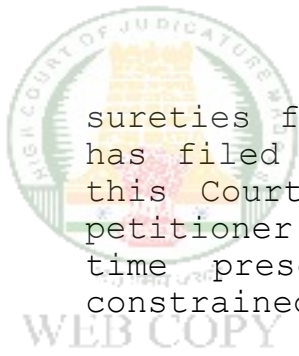
ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of I.P.C., in Crime No.146 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the accused persons attacked the defacto complainant and his brother-in-law with sword and knife and caused severe injuries and also threatened them with dire consequences. Hence, the case.

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

4.It is seen that the petitioner has earlier obtained anticipatory bail by this Court in Crl.O.P.(MD)No.8698 of 2023, dated 10.05.2023 on condition that the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) by way of demand draft drawn in favour of the defacto complainant directly and on production of proof/acknowledgement, the learned Magistrate shall accept the



sureties furnished by the petitioner. Subsequently, the petitioner has filed extension of time in Crl.M.P.(MD)No.7960 of 2023 before this Court and the same was allowed on 08.06.2023. However, the petitioner has failed to comply with the said condition within the time prescribed by this Court and hence, the petitioner is constrained to move the above application.

5.Taking into consideration of the facts and circumstances of the case and also the fact that the petitioner has already obtained anticipatory bail by this Court, 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 on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Paramakudi, 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 pay a sum of Rs.10,000/- (Rupees Ten Thousand only) by way of demand draft drawn in favour of the defacto complainant directly and on production of proof/acknowledgement the learned Magistrate shall accept the sureties furnished by the petitioner.

[c]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;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].



[g] If the accused thereafter absconds, a fresh FI registered under Section 229A IPC.

sd/-
30/06/2023

/ TRUE COPY /

/07/2023

WEB COPY

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

SJI

TO

- 1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.WILLIAM CHRISTOPHER J Advocate SR.No.9946 (I)
Dt.30/06/2023.

ORDER

IN

CRL OP(MD) No.11958 of 2023
Date :30/06/2023

SA/SAR. /08.07.2023/3P/6C