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CRL OP(MD). N



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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.12035 of 2023

Veeramani ... Petitioner/Accused Rank not known

Vs

State represented by,
The Inspector of Police,
Keeranur Police Station,
Pudukottai District.
Crime No.114 of 2023. ... Respondent/Complainant

For Petitioner : Mr.K.Jeyamohan, 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.114 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 147, 148, 294(b), 336, 341, 342, 323, 302 and 506(ii) of I.P.C in Crime No.114 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.04.2023 during the village festival, the first accused had pelted a stone in the festival crowd and due to which one Yasin got injured and admitted into the Hospital. The defacto complainant along with the deceased person had gone in a two-wheeler to look after the said Yasin in the village festival. At that time, all the accused persons waylaid the defacto



complainant and the deceased Vigneswaran and abused them with vulgar language and assaulted them with deadly weapons and due to which, the said Vigneswaran died. Hence, the complaint.

3. Heard the learned counsel appearing on either side and perused the materials available on record, including the First Information Report.

4. It is seen that there are totally 7 named accused persons. The petitioner's name is also similar to the second accused. After two months from the time of occurrence, the petitioner apprehends arrest at the hands of the respondent Police, since the respondent suspected his presence in the occurrence. The petitioner is a driver and he is residing in the same locality. Due to the wrong identity, the petitioner apprehends arrest at the hands of the respondent Police.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner's name is also similar to the second accused, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

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, Keeranur, 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 a.m 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 were not imposed and the petitioner released on bail by the learned



Magistrate/Trial Court himself as laid down by the Hon'ble 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.

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/07/2023

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

PS

TO

1 THE JUDICIAL MAGISTRATE,
KEERANUR.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
KEERANUR POLICE STATION, PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-9998[I] dated 30/06/2023)

ORDER

IN

CRL OP(MD) No.12035 of 2023

Date :30/06/2023

PKP/ /SAR- /07.07.2023/ **3P/6C**