



CRL OP(MD). No.16009 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.16009 of 2023

1. K.Manikandan

2. Ganesan@Ganeshkumar

... Petitioners/ Accused No.1 & 2

Vs

The State rep.by,
The Inspector of Police,
Woraiyur Police Station,
Trichy District.
Crime No. 1900 of 2023.

... Respondent/Complainant

For Petitioner : M/s Karthikeya Venkitachalapat,
Advocate.

For Respondent : M/s.M.Aasha,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 1900 of 2023 on the file of the respondent Police.



CRL OP(MD). No.16009 of 2023

ORDER : The Court made the following order :-

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The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 153, 506(i) and 353 IPC in Crime No.1900 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are said to have threatened the defacto complainant stating that they are going to conduct a protest against the temple administration for the delay caused to renovation work in the temple. Hence the case.

3.The learned counsel for the petitioners would contend that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) would submit that due to the delay of temple renovation there was dispute arose between the parties and the investigation of the case is pending.



CRL OP(MD). No.16009 of 2023

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5. Considering the facts and circumstances of the case and also considering the nature of offences committed by the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.IV, Trichy on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police as well as the trial Court on receipt of summons.



CRL OP(MD). No.16009 of 2023

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[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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/-
04/10/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp



CRL OP(MD). No.16009 of 2023

TO
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1.THE JUDICIAL MAGISTRATE NO.IV, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3.THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION,
TRICHY DISTRICT.

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

+1 CC TO M/S.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-14629[I]
dated 04/10/2023)

ORDER
IN

CRL OP(MD) No.16009 of 2023

Date :04/10/2023

RK/DD (10/10/2023) 5P /6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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