



CRL OP(MD). No.16309 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16309 of 2023

E.Nagarathinam

... Petitioner/ Rank Not known

Vs

The State rep.by,
The Inspector of Police,
Keerathurai Police Station,
Madurai City,
Madurai District,
Crime No.801/2023.

... Respondent/ Complainant

For Petitioner : M/s.Ramsundarvijayraj.S,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.801/2023 on the file of the respondent police

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



CRL OP(MD). No.16309 of 2023

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 323, 427, 387, 506(ii) of IPC, in Crime No.801 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as security in Berger Paints India Limited, opposite to the defacto complainant's house one Sivamayam Appala Company is situated and the accused persons used to visit the place for drinking. At that time, the defacto complainant warned them not to visit the place. On 23.08.2023, around 11.30 p.m., the accused persons went to the defacto complainant's house, abused him in filthy language and attacked with stone. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police

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



CRL OP(MD). No.16309 of 2023

submitted that investigation is still pending.

WEB COPY

5. Considering the antecedents of the petitioner, this Court earlier directed him to file undertaking affidavit to the effect that he will not indulge in such criminal activities in future.

6. Considering the nature of offence and the undertaking affidavit filed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.IV, Madurai, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.



CRL OP(MD). No.16309 of 2023

WEB COPY

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
15/09/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO

1. The Judicial Magistrate No.IV, Madurai.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
Keerathurai Police Station,
Madurai City,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.16309 of 2023

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-13768[I] dated 15/09/2023)

ORDER
IN

CRL OP(MD) No.16309 of 2023

Date :15/09/2023

RK/VRS (26/09/2023) 5P /6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023