



CRL OP(MD). No.19152 of 2023

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

Date : 30/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.19152 of 2023

Rathna Prakash

... Petitioner / Accused No.2

Vs

The State, represented by its
The Inspector of Police,
Thillai Nagar Police Station,
Tiruchirappalli District.
(Crime No.1336 of 2023).

... Respondent / Complainant

For Petitioner : Mr.VR.Shanmuganathan, 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.1336 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 147, 295, 297, 447, 427 I.P.C, in Crime No.1336 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. Along with one Ramkumar, this petitioner moved CrI.O.P(MD) No.13457 of



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2023 seeking anticipatory bail. After elaborate discussions, both petitions were dismissed by the common order dated 01.08.2023. After that the present petition has been filed stating that as a power of attorney, the petitioner has sold property to one Vincent Adaikalaraj on 02.07.2021. After that they have absolutely no connection with the above said issue. He was not present in the place of occurrence at that time and he was wrongly implicated.

3. But those things were argued at length even at that time of hearing the anticipatory bail application in Crl.O.P(MD) No.13313 of 2023. After going through the CD file and the relevant records, the above said two petitions came to be dismissed. Later, it appears that the said Ramkumar was arrested and released on bail. By pointing out this development, it was submitted that since the petitioner has no motive or connection with the above said issue, he is entitled for anticipatory bail.

5. The learned counsel for the petitioner would further submit that the petitioner is ready to stay away from the occurrence place and the co-accused have been released either on anticipatory bail or regular bail by this Court.

6. Considering the facts and circumstances of this case and also considering that the petitioner is ready to stay away from the occurrence place, this Court is inclined to grant anticipatory bail to the petitioner.



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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, Trichy, 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 stay at Salem and report before the learned Judicial Magistrate No.I, Salem, daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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/-
30/10/2023

/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

To

1.The Judicial Magistrate No.IV, Trichy.

2.Do through the Chief Judicial Magistrate, Trichy District.



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3.The Judicial Magistrate No.I, Salem.

4.Do through the Chief Judicial Magistrate, Salem District.

5.The Inspector of Police,
Thillai Nagar Police Station,
Tiruchirapalli.

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

+1CC to M/s.VR.SHANMUGANATHAN, Advocate, SR.No.49286(F), dated 31.10.2023.

ORDER
IN

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Date :30/10/2023

ED/VRS/SAR- (03/11/2023) 4P / 8C

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