



CRL OP(MD). No.17530 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.17530 of 2023

Katturaja

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Krishnan Kovil Police Station,
Virudhunagar District.
(Crime No. 108/2023.)

... Respondent/Complainant

For Petitioner : M/s.Pandian.M,
Advocate.

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime no.108/2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) IPC and Section 4 of TNPHW Act in Crime No.108 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 30.07.2023, the petitioner said to have abused the defacto complainant and also threatened her with dire consequences. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and due to previous enmity a false case has been foisted against him and hence he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner is a History Sheeter and he has having 11 previous cases and hence, he objected to grant anticipatory bail to the petitioner.



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5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side and considering the nature of offences and that the petitioner was already released on bail in the previous cases, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. 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 No.II, Srivilliputtur 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 on further condition that:

[a] the petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.



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

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

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/09/2023

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

trp



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TO
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1.THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTTUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUATUR.

3.THE INSPECTOR OF POLICE,
KRISHNAN KOVIL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.M.PANDIAN, Advocate (SR-14622[I] dated 04/10/2023)

ORDER
IN

CRL OP(MD) No.17530 of 2023

Date :29/09/2023

RK/JGB (04/10/2023) 5P /6C

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