



CRL OP(MD). No.17531 of 2023

WEB COPY

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.17531 of 2023

Anandraj @ Ananth

... Petitioner/ Accused No.1

Vs

The State represented by
The Inspector of Police,
Koomapatti Police Station,
Virudhunagar District.
Crime No.96 of 2023..

... Respondent

For Petitioner : M/s.Thalaimutharasu G,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.96 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the



CRL OP(MD). No.17531 of 2023

respondent police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC, in Crime No.96 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, when the defacto complainant standing along with his caste people near the lake, the petitioner along with other accused persons came along with aruval, abused, scolded the defacto complainant in filthy language, attacked and threatened the defacto complainant with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the petitioner is innocent and a false case has been foisted against them. The co-accused in this case been released on bail. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is the prime accused. He is the route cause of the occurrence. There was communal clash in that area. Still police picketing is going on. The petitioner is having 20 previous cases. Due to the present occurrence, one person sustained injury in this case and discharged from the hospital. He opposes the grant of anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, the co-accused was released



CRL OP(MD). No.17531 of 2023

WEB COPY

on bail by the trial Court, considering the fact that except 506(ii) of IPC all other offences are bailable in nature and considering the fact that injured was discharged from the hospital, 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.I, Srivilliputhur, 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 stay away from the occurrence Village and report before the learned Judicial Magistrate, Melur, daily at 10.00 am., for a period of thirty days and as and when required for interrogation.

[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



CRL OP(MD). No.17531 of 2023

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

WEB COPY

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

/ TRUE COPY /

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

TM

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
SRIVILLIPUTHUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE JUDICIAL MAGISTRATE,
MELUR.
- 4 THE INSPECTOR OF POLICE
KOOMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



CRL OP(MD). No.17531 of 2023

WEB COPY +1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-14625[I] dated 04/10/2023)

ORDER
IN
CRL OP(MD) No.17531 of 2023
Date :29/09/2023

SS/DD/05/10/2023/5P/7C

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