



CRL OP(MD). No.17549 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

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Anandraj @ Anantharaj

... Petitioner/ Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Koomapatti Police Station,
Virudhunagar District.
(Crime No.100/2023).

... Respondent/Complainant

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.100/2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 109, 147, 148, 153A, 294(b), 307, 506(ii) of IPC and Section 3 of TNPPDL Act, in Crime No.100 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 his house, the petitioner along with other accused persons, abused, 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



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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. The learned counsel for the petitioner would submit that the defacto complainant and his friends attacked the petitioner by removing dresses in public place.

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

7. Considering the rival submissions on either side, the co-accused was released on bail by the trial Court 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:

8. 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



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Ten Thousand only) with two sureties each for a like sum to the satisfaction of the
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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., until further orders.

[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].



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

sd/-
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/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 @ SRIVILLIPUTHUR.
3. THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.
- 4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 5.THE INSPECTOR OF POLICE,
KOOMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-14626[I] dated 04/10/2023)

ORDER
IN
CRL OP(MD) No.17549 of 2023
Date :29/09/2023

RK/MGA (06/10/2023) 6P / 8C

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