



CRL OP(MD). No.17535 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.17535 of 2023

A.Lakshmanan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Sub Inspector of Police,
Muthukulathur Police Station,
Ramanthapuram,
Ramanathapuram District.
(Crime No.191/2023).

... Respondent/Complainant

For Petitioner : M/s.Krishnadoss.K.P,
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.191/2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC r/w. 4 of TNPHW Act in Crime No.191 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that while the petitioner supervising the agricultural work, there was a wordy quarrel arose between the petitioner and the defacto complainant and that the petitioner has attacked the defacto complaint and caused injuries. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case, hence he seeks anticipatory bail.

4. The learned Additional Public Prosecutor would submit that it is case of case and counter and there is no previous case as against the petitioner. He would further submit that the investigation of the case is pending and hence, hence he objected to



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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 fact that it is a case of case and counter and that that there is no previous case against the petitioner and that both the petitioner and defacto complainant are relatives and considering the nature of offences, 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, Muthukulathur, Ramanathapuram District 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 at 10.30 a.m., for a period four weeks and 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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WITTO COPY

1. THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE SUB INSPECTOR OF POLICE,
MUTHUKULATHUR POLICE STATION,
RAMANTHAPURAM,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.P.KRISHNADOSS, Advocate (SR-14387[I] dated 29/09/2023)

ORDER
IN
CRL OP(MD) No.17535 of 2023
Date :29/09/2023

RK/DD(05/10/2023) 5P / 6C

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