



**CRL OP(MD). No.17589 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.17589 of 2023

S.Bala @ Balamurugan,

... Petitioner/ Accused Rank No.1

Vs

State Rep.by  
The Inspector of Police,  
Thanjavur Medical College Police  
Station,  
Thanjavur District.  
Crime No.527 of 2023..

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian,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.527 of 2023 on the file of the Respondent Police.



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**ORDER :** The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) IPC @ into 294(b), 323, 324, 506(ii) IPC and 25(1A) of Arms Act in Crime No.527 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.07.2023, when the defacto complainant was working in Ice Cream Shop, due to wordy quarrel, the petitioner and other accused said to have attacked the defacto complainant and also threatened him with dire consequences, hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and a false case has been foisted against him. He would further submit that injured discharged from the hospital and, hence he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner is having six previous case and in that cases already bail was granted. He would further submit that the injured discharged from the hospital and the investigation of the case is pending and hence, he objected to grant anticipatory bail to the petitioner.

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



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6. Considering the rival submissions on either side and considering the fact already bail was granted to the petitioner in previous cases and that the injured 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.II, Thanjavur, Thanjavur 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 Inspector of Police, Kumbakonam (West) Police Station, daily at 10.30 a.m., for a period of thirty days and thereafter, as and when required for interrogation before the respondent police.

[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

<https://www.mhc.tn.gov.in/judis>



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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

/ TRUE COPY /

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

TRP

TO

- 1 THE JUDICIAL MAGISTRATE NO.II  
THANJAVUR, THANJAVUR DISTRICT.
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE  
THANJAVUR MEDICAL COLLEGE POLICE STATION,  
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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Copy to

THE INSPECTOR OF POLICE  
KUMBAKONAM WEST POLICE STATION, KUMBAKONAM.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate ( SR-14624[I] dated 04/10/2023 )

ORDER

IN

CRL OP(MD) No.17589 of 2023

Date :29/09/2023

PKP/DD/SAR- /04.10.2023/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified  
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