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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date: 04.10.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

CRL.O.P.(MD).No.17652 of 2023

- 1.Raja @ Chanrasekaran
- 2.Praveen @ Praveenkumar
- 3.Mano @ Manonmanian
- 4.Seeman
- 5.Gokul
- 6.Ponnumani

... Petitioners/ Accused Nos. 1 to 5 & 7

Vs

State rep. by
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.250 of 2023).

... Respondent/Complainant

For Petitioners : Mr.C.Meenakshi Ramprabu, Advocate

For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.250 of 2023 on the file of the Respondent Police.

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



ORDER : The Court made the following order :-

The petitioners/A1 to A5 and A7, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC and Section 4 of TNPWH Act in Crime No.250 of 2023, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive, the accused persons have abused the de-facto complainant and her parents in filthy language and also attacked them and criminally intimidated them. Hence, the case.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the sixth petitioner/A7 was arrested on 30.09.2023 and the injured has been discharged from hospital.

4.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners 1 to 5 with certain conditions:

5.Accordingly, the petitioners 1 to 5 are ordered to be released on bail in the event



of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Melur, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 1 to 5 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners 1 to 5 shall appear before the trial court on issuance of summons;

[c] the petitioners 1 to 5 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 1 to 5 shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 1 to 5 in accordance with law as if the conditions have been imposed and the petitioners 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].

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

Since the sixth respondent/A7 was already arrested on 30.09.2023, this petition is dismissed as against him.

sd/-
04/10/2023

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

cmr
TO

1.The Judicial Magistrate, Melur, Madurai District.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Keelavalavu Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.V.ARUN, Advocate (SR-14606[I] dated 04/10/2023)



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ORDER
IN
CRL OP(MD) No.17652 of 2023
Date :04/10/2023

SSA/DD/10.10.2023/5P/6C

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