



CRL OP(MD). No.17937 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.17937 of 2023

Milton

... Petitioner / Sole Accused

Vs

State through
The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.
(Crime No.123 of 2023).

... Respondent / Complainant

For Petitioner : M/s.Raama Krishnan KA, Advocate.

For Respondent : M/s.M.Aasha, Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 123 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) IPC in Crime No.123 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel arose between the petitioner and the defacto complainant the petitioner said to have abused him in



filthy language and also threatened him with dire consequences. Hence the case.

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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 and hence, prayed for anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that due to the wordy quarrel there was a dispute between the petitioner and the defacto complainant and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the nature of allegations made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

6.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, Eraniel, Kanniyakumari 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 sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on receipt of summons.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].

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

sd/-
09/10/2023

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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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To

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1.The Judicial Magistrate,
Eraniel, Kanniyakumari District.

2.Do through the Chief Judicial Magistrate,
Kanniyakumari District at Nagercoil.

3.The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District.

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

ORDER

IN

CRL OP(MD) No.17937 of 2023

Date :09/10/2023

ED/DD/SAR- (16/10/2023) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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