



CRL OP(MD)No.17941 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10.10.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

CRL OP(MD)No.17941 of 2023

Kali @ Kaleeswaran

... Petitioner/ Accused No.8

Vs

State Rep.by  
The Inspector of Police,  
Keeraidurai Police Station,  
Madurai City.  
(Crime No.896 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.R.Udhayakumar, 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.896 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 336, 324, 506(i) IPC in Crime No.896 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused attempted to assault the defacto complainant and also abused him in filthy language. Hence, the



CRL OP(MD)No.17941 of 2023

WEB COPY

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks anticipatory bail.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the investigation in this case is yet to be completed. However, he would fairly concede that no previous case is pending as against the petitioner.

5.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain 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 Judicial Magistrate Court No.IV, Madurai, Madurai 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 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 petitioner and the sureties shall affix their photographs and Left Thumb



CRL OP(MD)No.17941 of 2023

WEB COPY

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 petitioner shall report before the trial Court on 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/-  
10/10/2023

/ TRUE COPY /

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

gns



CRL OP(MD)No.17941 of 2023

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, KEERAIDURAI POLICE STATION,  
MADURAI CITY.

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

+1 CC to M/s.R.UDHAYAKUMAR, Advocate ( SR-14934[I] dated 10/10/2023 )

ORDER

IN

CRL OP(MD) No.17941 of 2023

Date :10/10/2023

RS/DD/SAR-(17.10.2023) 4P 6C

Madurai Bench of Madras High Court is issuing  
certified copies in this format from 17/07/2023