



**CRL OP(MD). No.19299 of 2023**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**( Criminal Jurisdiction )**

**Date : 26/10/2023**

**PRESENT**

**The Hon'ble Mr.Justice R.SAKTHIVEL**

**CRL OP(MD). No.19299 of 2023**

**Thangaraj**

**... Petitioner/ Accused Rank not known**

**Vs**

**State rep.by  
The Inspector of Police,  
SIPCOT Police Station,  
Sivagangai District.  
Cr.No.129 of 2023**

**... Respondent/ Complainant**

**For Petitioner : Mr.R.L.Dilipan Pandian,Advocate  
for Mr.V.Vijayendiran, Advocate**

**For Respondent : Mr.R.Sivakumar,  
Government Advocate (Crl.Side)**

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

**PRAYER :-**

**For Anticipatory Bail in Crime No.129 of 2023 on the file of the Respondent Police.  
ORDER : The Court made the following order :-**

**The petitioner/ Accused Rank not known, who apprehends arrest at the hands of**



**CRL OP(MD). No.19299 of 2023**

the respondent police for the alleged offence punishable under Sections 147, 148, 294 (b), 363, 307 and 506(ii) I.P.C., in Crime No.129 of 2023 on the file of the respondent police, seeks an order of pre-arrest bail.

2. The case of the prosecution is that there was some previous enmity between the petitioner and the defacto complainant, due to which, the petitioner along with other accused assaulted the defacto complainant and caused injuries on 09.10.2023. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and based on the confession statement given by the co-accused, the petitioner has been falsely implicated in this case. He further submitted that the co-accused were already released on bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the alleged occurrence happened on 10.10.2023 at about 07.00 pm., and the injured sustained simple injuries and discharged from the hospital. He further submitted that the co-accused were released on bail. The petitioner has three previous cases.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

6. Petitioner's name does not find in the FIR., Petitioner has permanent address

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**CRL OP(MD). No.19299 of 2023**

and hence, possibility of absconding of the petitioner is very less. Injured discharged from the hospital. Considering all the circumstances, this Court is of the view that an order of pre-arrest bail can be granted to the petitioner. Hence, this Court is inclined to grant an order of pre-arrest bail to the petitioner, subject to the following conditions :

(i) Pre-arrest bail is granted to the petitioner.

(ii) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before learned Judicial Magistrate, Manamadurai, Sivagangai District, within 15 days from today, on his executing a bond for Rs.25,000 (Rupees Twenty Five Thousand Only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, Manamadurai, Sivagangai District.

(iii) The petitioner shall appear and sign before the respondent police daily twice i.e., at 10.00.am and 05.00 pm., until further orders.

(iv) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proof to ensure their identity.

(v) The petitioner shall not tamper with the evidence or witness either during

investigation or trial.

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**CRL OP(MD). No.19299 of 2023**

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(vi) The petitioner shall appear and co-operate with the Investigating Agency as and when required for investigation.

(vii) If the petitioner absconds, a fresh FIR shall be registered under Section 229A of IPC.

(viii) On breach of any of the aforementioned conditions, the learned Magistrate is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

sd/-

26/10/2023

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

DAS  
TO

- 1 THE JUDICIAL MAGISTRATE,  
MANAMADURAI, SIVAGANGAI DISTRICT.
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.



**CRL OP(MD). No.19299 of 2023**

3 THE INSPECTOR OF POLICE  
SIPCOT POLICE STATION,  
SIVAGANGAI DISTRICT.

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

ORDER  
IN  
CRL OP(MD) No.19299 of 2023  
Date :26/10/2023

PKP/VRS/SAR- /03.11.2023/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified  
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