



**CRL OP(MD). No.19352 of 2023**

WEB COPY

**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.19352 of 2023**

**Ramaraj**

**... Petitioner/Sole Accused**

**Vs**

**State rep.by  
The Inspector of Police,  
Watrap Police Station,  
Virudhunagar District.  
Cr.No.231 of 2023**

**... Respondent/Complainant**

**For Petitioner : Mr.B.Senthil Kumar,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.231 of 2023 on the file of the Respondent Police.**

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

**The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii)**



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I.P.C., in Crime No.231 of 2023 on the file of the respondent police, seeks an order of pre-arrest bail.

2. The case of the prosecution is that on 18.10.2023 at about 08.00 pm., a wordy quarrel arose between the parties with regard to the payment of subscription amount for their community welfare. Due to which, the petitioner abused the defacto complainant, assaulted him and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioner submitted that there was no such occurrence happened as alleged by the prosecution. The petitioner has been falsely implicated in this case.

4. Per contra, the learned Government Advocate (Crl. Side) for the respondent police submitted that the injured was admitted in the hospital on 18.10.2023 and left out from the hospital without any intimation to the Hospital authorities.

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

6. This Court has perused the First Information Report (FIR). The petitioner and the defacto complainant are known persons and residing in the same village. The petitioner has permanent residence. Hence, the petitioner may not abscond. Considering the facts and circumstances of the case, this Court is of the view that custodial interrogation of the petitioner is not necessary, Hence, this Court is inclined



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to grant an order of pre-arrest bail to the petitioner, subject to the following conditions:

(i) Pre-arrest bail order 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 No,I Srivilliputhur, Virudhunagar 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 No,I Srivilliputhur, Virudhunagar District.

(iii) The petitioner shall appear and sign before the respondent police daily at 10.00.am 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.

(vi) The petitioner shall appear and co-operate with the Investigating Agency as

and when required for investigation.



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(vii) If the petitioner abscond, 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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/11/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

DAS  
TO

- 1 THE JUDICIAL MAGISTRATE NO.I  
SRIVILLIPUTHUR
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE  
WATRAP POLICE STATION,  
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.B.SENTHILKUMAR, Advocate ( SR-15637[I] dated 30/10/2023 )

ORDER  
IN  
CRL OP(MD) No.19352 of 2023  
Date :26/10/2023

PKP/VRS/SAR- /03.11.2023/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified  
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