



CRL OP(MD). No.20356 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2023

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CRL OP(MD). No.20356 of 2023

N.Veera Manikandan

... Petitioner/ Accused rank not known

Vs

The State rep.by,
The Inspector of Police,
KK Nagar Police Station,
Trichy City.
Crime No.1388/2023..

... Respondent/ Complainant

For Petitioner : Mr.S.Atham Ali,
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.1388/2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 353, 506(i) and 379 IPC, in Crime No.1388 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that one Ranganathan availed business loan from the Canara Bank, Puthur Branch Trichy, for which one Karthi's property given as collateral security. Since the said Renganathan failed to repay his bank loan, the Bank initiated SARFAESI proceedings against Ranganathan property as well as the property of the said Karthi and the properties were subjected to auction and based on the same, on 18.10.2023 the authorised officer went to the property to take physical possession and at that time, the accused persons have assaulted the officials and caused injury to him. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the co-accused has already granted anticipatory bail by this Court in CrI.O.P(MD).No,19191 of 2023 and the petitioners are in jail from 19.10.2023 and hence, seeks bail.



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4.The learned Additional Public Prosecutor appearing for the respondent submitted that now all the injured persons were discharged from the hospital and the co-accused have already been released on bail. He would further submit that investigation of the case is pending.

5. Taking into consideration the facts and circumstances of the case and that the co-accused was released on bail and that the injured has also been discharged from the hospital, 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Trichy, 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 conditions that:



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[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 am for a period of 30 days and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the 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 is 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].



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

sd/-
10/11/2023

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

TRP

TO

- 1.THE JUDICIAL MAGISTRATE NO.III, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3.THE INSPECTOR OF POLICE,
KK NAGAR POLICE STATION, TRICHY CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.20356 of 2023
Date :10/11/2023

RK/DD (21/11/2023) 5P /5C
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