



CRL OP(MD). No.21586 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.21586 of 2023

Senthilkumar

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
North Police Station, Thoothukudi,
Thoothukudi District.

Cr.No.not known of 2023. ... Respondent/Complainant

For Petitioner : M/s.Sankara Pandian.J.,
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.not known of 2023 on the file of the Respondent police.

<https://www.mhc.tn.gov.in/judis>



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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 Section 153(A) of IPC in Crime No. not known of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner has not made any hatred speech and a false complaint has been given against him, hence he seeks anticipatory to the petitioner.

3. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that on receiving complaint from the complainant petition enquiry was conducted and the same is pending and the allegation in the complaint pertains to communal dispute

4. Considering the allegations in the petition and no case has been registered as against the petitioner as on date and also considering the allegations as against the petitioner this Court is inclined to grant anticipatory bail to the petitioner.



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5. 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 No.III, Thoothukudi on condition that the petitioner shall execute own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 shall affix his photograph and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank Pass Book to ensure his identity.

[b] the petitioner shall appear before the respondent police and co operate with the investigation.

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



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[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/-
30/11/2023

/ TRUE COPY /

/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1.THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3. THE INSPECTOR OF POLICE,
NORTH POLICE STATION, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.21586 of 2023

Date :30/11/2023

RK/SKN (01/12/2023) 5P / 5C

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