



CRL OP(MD) No.174 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.174 of 2024

RAJA MOHAMMED PITCHAI MOHAMMED, ... PETITIONER/ACCUSED 3

Vs

THE SUB INSPECTOR OF POLICE
KOTTAMPATTI POLICE STATION,
MADURAI DISTRICT.
CR. NO.397/2023

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.H.MAHAMEDHUSSAIN, Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CR.NO.397/2023 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner / Accused No.3, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections 294(b), 323, 324
and 506(ii) of I.P.C. in Crime No.397 of 2023, seeks anticipatory bail.



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2. The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant, the petitioner and other accused threatened the defacto complainant with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is an innocent person and accordingly, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the injured has been discharged from the Hospital.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the Hospital, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he 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, Melur, 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 and on



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further condition that:

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(a).if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b).the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c).the petitioner shall report before the respondent Police for a period of two weeks at 10.30 A.M. and thereafter, as and when required for interrogation;

(d).the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e).the petitioner shall not abscond either during investigation or trial;

(f).on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the



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conditions have been imposed and the petitioners 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]; and;

(g).if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
08/01/2024

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/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE,
MELUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
KOTTAMPATTI POLICE STATION,
MADURAI DISTRICT.

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



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+1 CC to M/s.H.MAHAMED HUSSAIN, Advocate (SR-434[I] dated 09/01/2024)

ORDER
IN
CRL OP(MD) No.174 of 2024
Date :08/01/2024

SA/VR/SAR. /11.01.2024/5P/6C

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