



CRL OP(MD) No.418 of 2024

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

Thursday, the Eighteenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.418 of 2024

1 PAVITHRAN

2 ARUN

3 HARIHARAN

4 ABUBAKARS CTHICK

... PETITIONERS/
(*)ACCUSED NOS.1,2,4 & 3

Vs

THE INSPECTOR OF POLICE
VATHALAI POLICE STATION,
TRICHY DISTRICT.
CRIME NO.3/2024.

... RESPONDENT/COMPLAINANT

(*)(**)ACCUSED RANK AND SECTIONS
AMENDED AS PER ORDER OF THIS
COURT DATED 11.01.2024 IN CRL MP(MD)
NO.381 OF 2024 IN CRL OP(MD)NO.418 OF
2024)

For Petitioner : M/S.SHUNMATHI PRIYA.R Advocate

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



CRL OP(MD) No.418 of 2024

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

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PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.3/2024 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1, A2, A4 & A3, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections (**)294(b), 323, 435 and 506(i) IPC in Crime No.3 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to some dispute, the petitioners abused and attacked the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the injured person has already been discharged from the hospital.



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5.Considering the facts and circumstances of the case and also considering the fact that the injured person has already been discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Musiri on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 further condition that:

(a)if the petitioners 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 petitioners shall report before the respondent police as and when



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

(e)the petitioners 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 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/-
18/01/2024

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/01/2024

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

GNS

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1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, MUSIRI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3.THE INSPECTOR OF POLICE
VATHALAI POLICE STATION,
TRICHY DISTRICT.

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

+1 CC TO M/S.R.SHUNMATHY PRIYA, ADVOCATE (SR-798[I] DATED
19/01/2024)

ORDER
IN

CRL OP(MD) No.418 of 2024

Date :18/01/2024

RK/JGB (19/01/2024) 5P / 6C

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