



CRL OP(MD) No.683 of 2024

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

Friday, the Twelfth day of January Two Thousand and Twenty Four

PRESENT
The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.683 of 2024

SARAVANAN

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.11/2024.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.BALAJI.A Advocate

For Respondent : MR.SS.MADHAVAN, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.11/2024 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 under Sections 294(b), 323 and 506(1) of IPC,
in Crime No.11 of 2024, seeks anticipatory bail.



CRL OP(MD) No.683 of 2024

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2.The case of the prosecution is that due to the dispute between the petitioner and the defacto complainant regarding to conduct pooja, the petitioner attacked the defacto complainant with his hands and caused injuries and threatened him with dire consequences. Hence, the Law Enforcing Agency, registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that it is a case and case in counter. Already a case has been registered against the defacto complainant in Crime No.263 of 2023 by the petitioner's father. As a counter blast, this false case has been registered against the petitioner. He further submitted that no previous case is pending against the petitioner and the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that there was dispute between the parties in worshipping the deity. However, he fairly conceded that it is a case and case in counter. Counter case has been registered against the defacto complainant and no previous case is pending



CRL OP(MD) No.683 of 2024

against the petitioner.

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5. Considering the facts and circumstances of the case and also considering the facts that it is a case and case in counter, no antecedent is reported against the petitioner and the injured was discharged from the hospital, this Court is 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 No.I, Pudukkottai, 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 further condition that:

(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 his photographs and left thumb impression in the



CRL OP(MD) No.683 of 2024

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surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure his identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(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 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]; and;

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

sd/-
12/01/2024

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/01/2024

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

DSS

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



CRL OP(MD) No.683 of 2024

To

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1. THE JUDICIAL MAGISTRATE NO.I,
PUDUKKOTTAI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.
 - 3.THE INSPECTOR OF POLICE
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.A.BALAJI, Advocate (SR-732[I] dated 12/01/2024)

ORDER
IN

CRL OP(MD) No.683 of 2024

Date :12/01/2024

RK/VR (23/01/2024) 5P / 6C

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