



CRL OP(MD) No.727 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.727 of 2024

PREMKUMAR @ PREMNATH

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
THIRUPANANDHAL POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.448/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.YOGESWARAN.G 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 CRIME NO.448/2023 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), 324, 427 and 506(2) of

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



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IPC, in Crime No.448 of 2023, seeks anticipatory bail.

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2.The case of the prosecution is that due to previous enmity, on 26.09.2023, the petitioner waylaid the defacto complainant and abused him with filthy language and attacked him with sticks and aruval and caused injuries to him. Thereby, 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. Counter case has been registered in Crime No.449 of 2023 against the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that it is a case and case in counter. Counter case has been registered against the defacto complainant. However, he fairly conceded that the injured sustained only simple injuries.

5. Considering the facts and circumstances of the case and also considering the

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facts that it is a case and case in counter and the injured sustained only simple injuries, 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 District Magistrate Cum Judicial Magistrate, Thiruvidadaimaruthur, 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 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;



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(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/-
18/01/2024

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/01/2024

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

DSS

To

1. THE DISTRICT MAGISTRATE CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.



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3. THE INSPECTOR OF POLICE
THIRUPANANDHAL POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.727 of 2024
Date :18/01/2024

RK/VR (24/01/2024) 5P / 5C

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