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

Tuesday, the Twenty Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1042 of 2024

KARTHICKEYAN ... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
ALANGUDI POLICE STATION,
PUDUKOTTAI DISTRICT,
CRIME NO.17/2024 ... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.SATHISH KUMAR Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:
FOR ANTICIPATORY BAIL IN CRIME NO.17/2024 ON THE FILE OF THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 353, * 332 and 506(1) of IPC, in Crime No.17 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that on 17.01.2024, at about 03.30 p.m, in the Jallikattu game took place in Vaniyaviduthi, the petitioner along with other accused made some unwanted noise among the public. When the same was questioned by the police officials, there was wordy quarrel between them. At that time, they abused the defacto complainant with filthy language and assaulted him with gravel stone and caused injury to him. Hence, the Law Enforcing Agency, registered a case against the petitioner and the other accused.

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 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 the investigation is pending. However, he fairly conceded that the injured was discharged from the hospital.

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

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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 Munsif cum Judicial Magistrate, Alangudi, 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;

(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

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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/-
23/01/2024

(*)AMENDED AS PER ORDER OF THIS COURT DATED 13.02.2024 IN CRL MP (MD)NO.1679 OF 2024 IN CRL OP(MD) NO.1042 OF 2024.

TIME GRANTED BY THIS COURT, VIDE ORDER DATED 23.01.2024, IS EXTENDED FOR A PERIOD OF TWO WEEKS FROM THE DATE OF RECEIPT OF COPY OF THIS ORDER.

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/02/2024

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

DSS

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, ALANGUDI.

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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
ALANGUDI POLICE STATION,
PUDUKOTTAI DISTRICT

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-1755[I] dated 13/02/2024)

ORDER
IN
CRL OP(MD) No.1042 of 2024
Date :23/01/2024

SS/JGB/SAR- /30/01/2024/5P/6C

ED/ VR /SAR- (19/02/2024) 5P / 6C

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