



CRL OP(MD) No.1095 of 2024

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

Wednesday, the Twenty Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1095 of 2024

1 MANIKANDAN

2 MOHAN @ CHANDRAMOHAN

... Petitioners / Accused Nos.1 and 2

Vs

THE INSPECTOR OF POLICE
CINNADHARAPURAM POLICE STATION,
KARUR DISTRICT.
(CRIME NO.15 OF 2024.)

... Respondent / Complainant

For Petitioners : M/s.B.Vinoth Kumar, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.15 OF 2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the
respondent police for the alleged offence under Sections 294(b), 324 and 506(2) of



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IPC in Cr.No.15 of 2024, on the file of the respondent police, seek anticipatory bail.

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2.The case of the prosecution is that during the pongal festival, there was a wordy quarrel between the parties, due to which, the petitioners abused the de-facto complainant in filthy language and attacked him with hands and also threatened to kill him. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) strongly opposed to grant anticipatory bail stating that apart from this case, A1 has four previous cases, out of which, two cases were already disposed of. However, he fairly conceded that the injured was already discharged from the hospital.

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

6.Accordingly, this Criminal Original Petition is ordered and 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



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the learned District Munsif cum Judicial Magistrate, Aravakurichi, Karur, 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 daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(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



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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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/01/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The District Munsif cum Judicial Magistrate,
Aravakurichi, Karur.

2.Do through the Chief Judicial Magistrate,
Karur District.

3.The Inspector of Police,
Cinnadharapuram Police Station
Karur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.B.VINOTH KUMAR, Advocate (SR-1065[I] dated 29/01/2024)



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ORDER
IN
CRL OP(MD) No.1095 of 2024
Date :24/01/2024

ED/ GS /SAR- (31/01/2024) 5P / 6C

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