



CRL OP(MD) No.1321 of 2024

WEB COPY

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1321 of 2024

RAJA @ AMBROSE

(WRONGLY MENTIONED IN THE NAME OF
S/O.RAJA IN THE FIR)

... PETITIONER / ACCUSED No.2

Vs

THE SUB INSPECTOR OF POLICE
THEVARAM POLICE STATION,
UTHAMAPALAYAM,
THENI.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.APPADURAI.K 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.7/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for



CRL OP(MD) No.1321 of 2024

the alleged offence under Sections 147, 148, 448, 294(b), 323, 324 and 506(ii) of IPC in Crime No.15 of 2024, seek anticipatory bail.

2.The case of the prosecution is that on 06.01.2024 at 9.30 p.m., the petitioner and other accused persons came to the house of the defacto complainant and attacked the defacto complainant and her son and daughter, abused them using filthy language and threatened them with dire consequences. Hence, this complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Further, the injured is discharged from the hospital and it is a case and counter case. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that it is the case and counter case, the counter case has been registered in Crime No.15 of 2024 before the respondent Police against the defacto complainant and his family members and injured are discharged from the hospital. Hence, he has no objection to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that it is the case and counter case and the injured are discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner.



CRL OP(MD) No.1321 of 2024

WEB COPY

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, Bodinayakkanur, 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 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 petitioner shall report before the respondent Police daily at 10.30 p.m., for a period of two weeks and thereafter, he shall appear before the respondent Police as and when required;

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



CRL OP(MD) No.1321 of 2024

(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/-

30/01/2024

/ TRUE COPY /

/02/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

INDU

TO

1 THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
THEVARAM POLICE STATION,
UTHAMAPALAYAM,
THENI.



CRL OP(MD) No.1321 of 2024

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

ORDER
IN
CRL OP(MD) No.1321 of 2024
Date :30/01/2024

SS/GS/SAR- /02/02/2024/5P/5C

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