



CRL OP(MD) No.1628 of 2024

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

Friday, the Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1628 of 2024

SARATH @ SARATHKUMAR

... PETITIONER / ACCUSED No.3

Vs

THE INSPECTOR OF POLICE
S.P.PATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.8 OF 2024.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.SURESH 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.8 OF 2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police
for the alleged offence under Sections 294(b), 323 and 506(i) IPC and Section 4 of
TNPHW Act, in Crime No.8 of 2024, seeks anticipatory bail.



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2.The case of the prosecution is that on 22.01.2024, due to property dispute, the petitioner along with the other accused went to the defacto complainant's house and abused her in filthy language and also slapped the defacto complainant with hands. Hence this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, 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



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fifteen days from the date of receipt of a copy of this order, before the **learned District Munsif Cum Judicial Magistrate, Thiruvadanai**, 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 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(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;



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(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/-
02/02/2024

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

TTA

TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUVADANAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
S.P.PATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

ORDER
IN
CRL OP(MD) No.1628 of 2024
Date :02/02/2024

SS/GS/SAR- /07/02/2024/5P/5C

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