



CRL OP(MD) No.2022 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2022 of 2024

PAPPU

... PETITIONER/ A3-ACCUSED

Vs

THE SUB INSPECTOR OF POLICE
NAVALPATTU POLICE STATION,
TRICHY CITY.
CRIME NO.300 OF 2023.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.S.MUTHUKRISHNAN, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.300 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 353, 431 and 506(ii) of IPC, in Crime No.300 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a Village



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Administrative Officer. When he was going to open the irrigation channel from Suriyur Village, the petitioner along with other accused prevented him to open the channel and caused disturbance to the other farmers. Hence, the defacto complainant made a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that when the defacto complainant was going to open the irrigation channel from Suriyur Village, the petitioner along with other accused prevented him to open the channel and caused disturbance to the other farmers. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the allegation made against the petitioner is not serious one, this Court is 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 Judicial Magistrate Court No.3, Trichy, on condition that the petitioner shall execute a bond for a sum of



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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 as and when required;

(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;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
09/02/2024

/ TRUE COPY /

/02/2024

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

dss

TO

- 1 THE JUDICIAL MAGISTRATE NO.3, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE, NAVALPATTU POLICE STATION,
TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

- +1 CC to M/s.S.MUTHUKRISHNAN, Advocate (SR-1804[I] dated 13/02/2024)
+1 CC to M/s.S.MUTHUKRISHNAN, Advocate (SR-1637[I] dated 09/02/2024)

ORDER IN
CRL OP(MD) No.2022 of 2024
Date :09/02/2024

RS/VR/SAR-(16.02.2024) 4P 7C
Madurai Bench of Madras High Court is issuing
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