



CRL OP(MD) No.2551 of 2024

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

Monday, the Nineteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2551 of 2024

ASHIK @ MOHAMMED ASHIK ALI ... PETITIONER / ACCUSED No.3

Vs

THE INSPECTOR OF POLICE
LALGUDI POLICE STATION,
TRICHY DISTRICT.
CRIME NO. 70 OF 2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. SENTHIL.D Advocate

For Respondent : MR.S.MANIKANDAN Govt. Advocate (CrI. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 70 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, 448 and 506(ii) of IPC, in Cr.No.70 of

<https://www.mhc.tn.gov.in/judis>



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2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 05.02.2024, when the defacto complainant has questioned the first accused and the petitioner herein regarding the stocks kept in the shop which were removed by the accused persons, the first accused slapped on the cheek of the defacto complainant and the other accused persons threatened the defacto complainant by showing an iron rod. Hence, the case.

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. He would further submit that the co-accused persons have been granted anticipatory bail by this Court in Crl.O.P(MD).No.2229 of 2024 on 14.02.2024. Hence, he prayed for anticipatory bail.

4.The learned Government Advocate (Crl. side) appearing for the State would submit 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

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to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and 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, Lalgudi, 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;

(e).the petitioner shall not tamper with evidence or witness either during



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investigation or trial;

(f).the petitioner shall not abscond either during investigation or trial;

(g).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;

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

sd/-
19/02/2024

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

SSB
TO

- 1 THE JUDICIAL MAGISTRATE,
LALGUDI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.



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3 THE INSPECTOR OF POLICE
LALGUDI POLICE STATION, TRICHY DISTRICT.

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

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-2089[I] dated 20/02/2024)

ORDER
IN
CRL OP(MD) No.2551 of 2024
Date :19/02/2024

PKP/VR/SAR /22.02.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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