



CRL OP(MD) No.2739 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2739 of 2024

MARUDHUPANDI

... Petitioner / Accused Rank not known

Vs

THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 282/2023)

... Respondent / Complainant

For Petitioner : M/.C.Iyyaparaj, 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. 282 OF 2023 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the
respondent police for the alleged offence under Sections 294(b), 341, 323, 427, 307
and 363 of IPC, in Crime No.282 of 2023, on the file of the respondent police, seeks



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anticipatory bail.

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2.The case of the prosecution is that the de-facto complainant along with one Ammamuthu were travelling in a car near Thoppadiyur, at that time, one Alto model green colour car was driven by its driver and chased the defacto complainant's car in a rash manner. The further case of the prosecution that the accused persons attacked the car, wherein the defacto complainant was travelling and abducted the said Ammamuthu into their car. Hence, the case.

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

4.The learned Government Advocate (Crl. side) submitted that the injured person was already discharged from the hospital and the petitioner is having six previous cases. However, he strongly opposed to grant anticipatory bail to the petitioner.

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

6.Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a



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period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Srivaikundam, Thoothukudi, 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;

(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



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

sd/-
22/02/2024

/ TRUE COPY /

/03/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Judicial Magistrate No.I,
Srivaikundam, Thoothukudi.

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

3.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.

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

+1 CC to M/s.C.IYYAPARAJ, Advocate (SR-2254[I] dated 22/02/2024)



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ORDER
IN
CRL OP(MD) No.2739 of 2024
Date :22/02/2024

ED/ VR /SAR- (29/02/2024) 5P / 6C

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