



CRL OP(MD) No.2875 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2875 of 2024

VIVEK

... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION,
MADURAI CITY,
MADURAI DISTRICT.
CRIME NO. 91/2024

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. SURLIRAJA.P 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. 91 OF 2024 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 324 and 506(ii) of IPC, in Crime No.91 of

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



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

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2.The case of the prosecution is that due to previous motive, the petitioner and other accused attacked the defacto complainant and threatened him with dire consequences. 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 he has been falsely implicated in this case. Further, co-accused was already enlarged on anticipatory bail by this Court in CrI.O.P(MD) No.2810 of 2024. 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 investigation is pending and the co-accused was enlarged on anticipatory bail by this Court. 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 and co-accused was enlarged on anticipatory bail by this Court vide order dated 22.02.2024, this



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Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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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 period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai, 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



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investigation or trial;

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(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/-
23/02/2024

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/03/2024

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

INDU

TO

1. THE JUDICIAL MAGISTRATE NO.VI, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3.THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION,
MADURAI CITY, MADURAI DISTRICT.



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

+1 CC to M/s.P.SURLI RAJA, Advocate (SR-2311[I] dated 23/02/2024)

ORDER
IN
CRL OP(MD) No.2875 of 2024
Date :23/02/2024

RK/GS (11/03/2024) 5P / 6C

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