



CRL OP(MD) No.3269 of 2024

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

Monday, the Fourth day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.3269 of 2024

PALANIKUMAR @ CHELLAPANDI

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
SUTHAMALLI POLICE STATION,
TIRUNELVELI DISTRICT.
CR.NO.71/2024

... RESPONDENT/COMPLAINANT

For Petitioner : MR.SATHYACHIDAMBARAM, 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. 71/2024 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 punishable under Sections 447, 294(b), 307 and 506(ii) IPC in Crime
No.71 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that there is a civil dispute between the
petitioner's family and the defacto complainant's family and due to which, the
petitioner attacked the defacto complainant. Hence, the defacto complainant



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preferred a complaint before the respondent police. Thereafter, again the petitioner trespassed into the house of the defacto complainant and directed him to withdraw the above said complaint and further, threatened him with dire consequences and also attacked him with deadly weapons. Hence the present case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the earlier petition for anticipatory bail was dismissed on the ground that the petitioner is having previous cases. However, all the cases ended in acquittal and hence, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that no one sustained injuries in the alleged occurrence.

5.Considering the fact that the previous cases are ended in acquittal and also considering the fact that no one sustained injuries in the alleged occurrence, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, 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, Cheranmahadevi, Tirunelveli District 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 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. until further orders;

(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/-
04/03/2024

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/03/2024

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

gns
TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, SUTHAMALLI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.SATHYA CHIDAMBARAM, Advocate (SR-2781[I] dated 06/03/2024)

ORDER IN

CRL OP(MD) No.3269 of 2024

Date :04/03/2024

RS/GS/SAR-(11.03.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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