



CRL OP(MD) No.4034 of 2024

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

Thursday, the Fourteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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ARAVIND

... PETITIONER/ 1ST ACCUSED

Vs

THE INSPECTOR OF POLICE
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.127 OF 2023.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.K.RAJESHWARAN Advocate

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

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.127 OF 2023 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 452, 294(b), 506(ii) IPC,



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Section 4 of TNPHW Act and Section 3 of TNPPDL Act r/w Section 109 IPC in
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Crime No.127 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that due to family dispute, the petitioner threatened and abused the defacto complainant in filthy language and also caused damage to the property. Hence, the 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.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the petitioner is having six previous cases and he is a history sheeter. Therefore, 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 there is no serious allegations as against the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 Judicial Magistrate Court, Devakottai, Sivagangai District 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. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during 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/-
14/03/2024

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

GNS

TO

1. THE JUDICIAL MAGISTRATE, DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI

3. THE INSPECTOR OF POLICE
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.



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

+1 CC to M/s.K.RAJESWARAN, Advocate (SR-3197[I] dated 14/03/2024)

ORDER
IN
CRL OP(MD) No.4034 of 2024
Date :14/03/2024

RK/VR (26/03/2024) 5P / 6C

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