



CRL OP(MD) No.4086 of 2024

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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

CRL OP(MD) No.4086 of 2024

KATHIRAVAN @ SATHYAMOORTHY ... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO. 82/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S VELPRADEEP.I, 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. 82 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 punishable under Sections 294(b), 323, 324 and 506(ii) IPC and

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Section 4 of TNPHW Act in Crime No.82 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioner and other accused persons assaulted the defacto complainant's son and also threatened them. 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. He would further submit that already this Court granted anticipatory bail to the co-accused. Accordingly, he prayed to grant anticipatory bail to the petitioner herein.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that already this Court granted anticipatory bail to the co-accused, 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, Melur 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

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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 as and when required;

(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/-
14/03/2024
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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,
MELUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.I.VELPRADEEP, Advocate (SR-3194[I] dated 14/03/2024)

ORDER
IN

CRL OP(MD) No.4086 of 2024

Date :14/03/2024

PKP/GS/SAR /26.03.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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