



CRL OP(MD) No.4278 of 2024

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

Tuesday, the Nineteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4278 of 2024

ANANDRAJ

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
KOOMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR.NO.98/2023

... RESPONDENT

For Petitioner : MR.P.VEERAPANDI, Advocate

For Respondent : MR.P.KOTTAICHAMY, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.98/2023 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 offences punishable under Sections 294(b), 506(2) IPC and Section 4 TNPHW Act in Crime No.98 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, on 03.08.2023, at



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about 06.00 pm., when the defacto complainant standing near the house, the petitioner and other accused entered quarrel with the defacto complainant's relative and when the same was questioned by the defacto complainant, the accused persons scolded him in filthy language and also attacked him. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that it is the issue between two community people and the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Further, it is a case and counter case and the counter case has been registered in Crime No.99 of 2023. Hence, he seeks anticipatory bail.

4.The learned Government Advocate(Crl.side) appearing for the respondent Police would submit that an earlier anticipatory bail application filed by the petitioner was dismissed by this Court on the ground that 28 previous cases are pending against the petitioner and he is a history sheeted person. Now it is clarified that the petitioner involved in 28 previous cases, out of which, 24 cases are ended in acquittal and remaining 4 cases are pending. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of this case and also considering the fact that injured is discharged from the hospital and though the petitioner involved in 28 cases, 24 cases are ended in acquittal, this Court is inclined to grant anticipatory



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bail to the petitioner.

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6. Accordingly, the petitioner is granted anticipatory bail and he 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.I, Srivilliputhur, 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 the period of two weeks and thereafter, he shall appear before the respondent Police as and when required;

(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/-

19/03/2024

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/04/2024

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

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.I, SRIVILLIPUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, KOOMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.P.VEERAPANDI, Advocate (SR-3462[I] dated 21/03/2024)

ORDER

IN

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Date :19/03/2024

RS/GS/SAR-(02.04.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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