



CRL OP(MD) No.4273 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.4273 of 2024

KATHIJABEEVI

... PETITIONER/ ACCUSED
(RANK NOT KNOWN)

Vs

THE INSPECTOR OF POLICE
THIRUPPATHUR TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.23 OF 2024)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.SENTHIL MURUGAN,
Advocate

For Respondent : Mr.P.KOTTAICHAMY,
Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.23 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 under Sections 294(b), 427 and 506(i) of IPC in Crime No.23 of

<https://www.mhc.tri.go.in/judis>



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2024, seeks anticipatory bail.

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2.The case of the prosecution is that due to the dispute pending between the petitioner and the defacto complainant, the petitioner trespassed into the defacto complainant's property, caused damage and threatened with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is pending in this case. Hence, he 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 allegation made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

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, Thirupattur, 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



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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 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/-
19/03/2024

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

INDU
TO

1 THE JUDICIAL MAGISTRATE,
THIRUPPATHUR, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

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

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



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WEB COPY +1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-3366[I] dated 19/03/2024)

ORDER
IN
CRL OP(MD) No.4273 of 2024
Date :19/03/2024

SA/GS/SAR. /22.03.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.