



CRL OP(MD) No.4502 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4502 of 2024

M.IYYAPPAN

... PETITIONER / ACCUSED No.4

Vs

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

... RESPONDENT / COMPLAINANT

For Petitioner : MR.ANAND.R, 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.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 under Sections 147, 148, 294(b), 323, 324, 506(ii) and 379 IPC in

<https://www.mhc.tn.gov.in/judis>



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Crime No.71 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the accused persons and the defacto complainant, due to which, the accused persons abused the defacto complainant in filthy language and attacked him and threatened him with dire consequences and thereafter, Samsung 12 Android mobile phone and a sum of Rs.10,000/- belonging to the defacto complainant were found missing. Hence this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case and the co-accused persons have been granted anticipatory bail by this Court in CrI.O.P(MD).No.4004 of 2024 on 13.03.2024.

4.The learned Government Advocate (CrI.side) appearing for the respondent Police submitted that the injured was discharged from the hospital and the petitioner is having one previous case.

5. Considering the facts and circumstances of the case and the fact that the injured was discharged from the hospital and that the co-accused persons have been granted anticipatory bail by this Court , this Court is inclined to grant anticipatory 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, Valliyoor, Tirunelveli 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., for a period of two weeks and thereafter, as and when required for interrogation;

(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;



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(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/-
21/03/2024

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

SSB

TO

- 1 THE JUDICIAL MAGISTRATE,
VALLIYOOR, THIRUNELVELI DISTRICT.
- 2 DO THORUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THIRUKURUNGUDI POLICE STATION,
TIRUNELVELI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.4502 of 2024
Date :21/03/2024

PKP/JGB/SAR /28.03.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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