



CRL OP(MD) No.4591 of 2024

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

Friday, the Twenty Second day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4591 of 2024

KALANJIYARAJA

... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE
MANDAPAM POLICE STATION,
RAMANATHAPURAM DISTRICT
CR.NO.29/2024

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.GOKUL.K, 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. 29/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for
the alleged offence under Sections 147, 148, 324, 294(b), 323, 307 of IPC in Crime
No.29 of 2024, seek anticipatory bail.



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2.The case of the prosecution is that the petitioner and the defacto complainant are residing in Srilankan Refugee Camp, Mandapam. The fourth accused and the sister's son of the defacto complainant were fell in love with some woman, due to which, there was wordy quarrel in between the sister's son of the defacto complainant and the A4, which was questioned by the defacto complainant's brother Niruban with A4. Thereafter, on 21.02.2022, when the defacto complainant, his brother and others were standing in a road near Srilankan Refugee Camp, the accused persons assembled together and attacked the defacto complainant and his brother using aruval and wheel spanner and caused severe injuries to them. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any allegations as alleged by the prosecution. Further, the injured are discharged from the hospital. 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 and one previous case is pending against the petitioner. Further, the injured are discharged from the hospital. Hence, he opposed to grant anticipatory bail to the petitioner.



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5. Heard. Perused the materials available on record including the First
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Information Report.

6. Considering the facts and circumstances of the case and also considering the fact that the injured are discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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, Rameshwaram, 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;



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(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;

(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/-
22/03/2024

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/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
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- 1 THE JUDICIAL MAGISTRATE,
RAMESHWARAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
MANDAPAM POLICE STATION, RAMANATHAPURAM DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.GOKUL, Advocate (SR-3654[I] dated 25/03/2024)

ORDER
IN

CRL OP(MD) No.4591 of 2024

Date :22/03/2024

SS/VR/SAR- /10/04/2024/5P/6C

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