



CRL OP(MD) No.4682 of 2024

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

Monday, the Twenty Fifth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4682 of 2024

1 KALIMUTHU @ GOWTHAM

2 VAIRAMUTHU @ VAIRAVAN EASWAR ... Petitioners / Accused No.3 & 6

Vs

THE INSPECTOR OF POLICE
ALLINAGARAM POLICE STATION,
THENI.

... Respondent / Complainant

For Petitioners : M/s.K.Appadurai, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.18/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A3 & A6, who apprehend arrest at the hands of the
respondent police for the alleged offence under Sections 147, 148, 294(b), 323, 324,



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307 and 427 of IPC, in Crime No.18 of 2024, seek anticipatory bail.

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2. The case of the prosecution is that on 17.01.2024 at about 3.45 hours, defacto complainant was searching his cows, at that time, the accused are said to have abused him in filthy language and also attacked him with stick and iron rod and caused injuries to him. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the co-accused have already been granted anticipatory bail by this Court on 26.02.2024 in Crl.O.P (MD)No.2511 of 2024 and hence, he prays for anticipatory bail.

4. The learned Government Advocate (Crl. side) appearing for the respondent Police would submit that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and the fact that the injured has been discharged from the hospital and the co-accused have already been granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the



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learned Judicial Magistrate, Theni, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail



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by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme

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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/-

25/03/2024

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/04/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1.The Judicial Magistrate,
Theni.

2.Do through the Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
Allinagaram Police Station,
Theni.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.APPADURAI, Advocate (SR-3669[I] dated 26/03/2024)



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ORDER

IN

CRL OP(MD) No.4682 of 2024

Date :25/03/2024

ED/ JGB /SAR- (01/04/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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