



CRL OP(MD) No.4749 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4749 of 2024

JOHN DAVID JEBARAJ

... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE
MATHICHIYAM POLICE STATION,
MADURAI CITY.
CRIME NO.86/2024.

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.VENNILA.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.86/2024 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.1, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections 294 (b), 332, 353,



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355 and 506(i) of I.P.C. Section 75(2)(a) of the Tamil Nadu City Police Act, 1888 in Crime No.86 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.03.2024, at about 14.45 hours, the petitioner along with one other accused person herein came out from the wine shop and due to inebriated condition, they fell down from their bike. When the defacto complainant, who is the Sub Inspector of Police, warned both of them, the accused persons abused the defacto complainant by using filthy language and assaulted her by hands and prevented the defacto complainant from discharging her duty. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit 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 anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that no one sustained injuries.

5. Considering the facts and circumstances of the case and also considering the fact that no one sustained injuries, 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



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fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.II, Madurai, 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 for a period of two weeks at 10.30 A.M. 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;

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



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law as if the conditions have been imposed and the petitioners 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/-
26/03/2024

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

TSG

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE
MATHICHIYAM POLICE STATION, MADURAI CITY.



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

ORDER
IN
CRL OP(MD) No.4749 of 2024
Date :26/03/2024

PKP/VR/SAR /04.04.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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