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

Wednesday, the Twenty Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4802 of 2024

1 PRAKASH

2 BALU @ KALAIYARASAN

3 DHANALAKSHMI @ THANALAKSHMI

4 REGINA @ REGIPETRICIA

5 DEEPA

6 KUMAR @ SELVAKUMAR ... PETITIONER / ACCUSED No. 1 to 6

Vs

THE INSPECTOR OF POLICE
THE INSPECTOR OF POLICE,
VATHALAI POLICE STATION,
TRICHY DISTRICT
CR.NO.41/2024 ... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.ARUNRAJ, 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. 41/2024 ON THE FILE OF THE RESPONDENT POLICE.

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ORDER : The Court Made the following order :-

The petitioners/A1 to A6, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 324 and 506 (ii) IPC in Crime No.41 of 2024, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant was going on the paddy, which was drained in the field and the same was questioned by A3 and thereafter, all the accused persons abused the defacto complainant in filthy language and also assaulted 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 are innocent persons.

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

5.Considering the facts and circumstances of the case and considering the fact

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the injured person has been discharged from the hospital, 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 learned Judicial Magistrate, Musiri, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties (Common surety)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 are directed to appear before the respondent police as and when required for interrogation;

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(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 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/-
27/03/2024

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/04/2024

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

GNS
TO

1 THE JUDICIAL MAGISTRATE,
MUSIRI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

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3 THE INSPECTOR OF POLICE
THE INSPECTOR OF POLICE,
VATHALAI POLICE STATION,
TRICHY DISTRICT

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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-3773[I] dated 27/03/2024)

ORDER
IN
CRL OP(MD) No.4802 of 2024
Date :27/03/2024

PKP/GS/SAR /02.04.2024/ 5P/ 6C

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

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