



CRL OP(MD) No.4982 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4982 of 2024

DOMINIC AKASH

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
PANAKUDI POLICE STATION,
TIRUNELVELI DISTRICT.
CR.NO.217/2024

... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.KRISHNA KUMAR Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO. 217/2024 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), 323 and
506(i) of I.P.C. and Section 4 of TNPHW Act, 1992 in Crime No.217 of 2024, on the file
of the respondent Police, seeks anticipatory bail.

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



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2. The case of the prosecution is that due to money dispute pending between the petitioners and the defacto complainant, the petitioner along with other accused persons attacked the defacto complainant and abused him by using filthy language and threatened him with dire consequences. 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. He would further submit that the co-accused has already been granted anticipatory bail by this Court in Crl.O.P.(MD).No.4684 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 investigation is going on.

5. Considering the facts and circumstances of the case and co-accused already enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner 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



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satisfaction of the learned Magistrate concerned and on further condition that:

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(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 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 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;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
28/03/2024

/ TRUE COPY /

/04/2024

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

TO

1 THE JUDICIAL MAGISTRATE, VALLIYOOR, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PANAKUDI POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.4982 of 2024

Date :28/03/2024

RS/JGB/SAR-(05.04.2024) 4P 5C
Madurai Bench of Madras High Court is issuing
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