



CRL OP(MD) No.5037 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

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1 JEYABHARATHI

2 BALA @ BALAMURUGAN

... PETITIONERS/ ACCUSED NOS.1&2

Vs

THE INSPECTOR OF POLICE
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.98/2023).

... RESPONDENT/COMPLAINANT

For Petitioners : MR.S.SATHYACHIDAMBARAM 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.98/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / A1 and A2, who apprehend arrest at the hands of the

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respondent Police for the alleged offence punishable under Sections 294(b), 448, 379 and 506 (i) I.P.C. in Crime No.98 of 2023, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to money dispute pending between the petitioners and the defacto complainant, the petitioners herein abused the defacto complainant by using filthy language and trespassed into the house of the defacto complainant and took the property of him and also gave him life threat. 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 (Criminal 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 also



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considering the fact that the injured has already 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 No.V, Tirunelveli and 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 are directed to appear before the respondent police for a period of two weeks at 10.30 P.M., and thereafter, as and



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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 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/-
28/03/2024

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/04/2024

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

TSG



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TO
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1.THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

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

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

+1 CC to M/s.SATHYA CHIDAMBARAM.S, Advocate (SR-4054[I] dated
01/04/2024)

ORDER
IN

CRL OP(MD) No.5037 of 2024

Date :28/03/2024

RK/JGB (05/04/2024) 5P / 6C

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