



CRL OP(MD). No.5483 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5483 of 2024

1. Kannathasan @ Kutty,

2. Pandiyan,

... Petitioners/ Accused No.3&7

Vs

The State through
The Inspebctor of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
Crime No.136 of 2024,

... Respondent/ Complainant

For Petitioner :Mr. S Gurumoorthy, Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 136/2024 on the file of the respondent police.

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



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ORDER : The Court made the following order :-

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The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.136 of 2024, for the offence punishable under Sections 147, 148, 294(b), 323, 324, 386, 379 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioners and other accused demanded the defacto complainant to make a shed for a temple, when the defacto complainant refused to do so, they attacked him with hands, iron rod, wooden log and caused injuries. One of the accused had taken away five sovereigns of gold chain and cash from the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioners submits that one of the co-accused was granted anticipatory bail by this Court. The petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The defacto complainant falsely implicated the petitioners in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent

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



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Police submits that no previous case is pending against the petitioners.

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5. Considering the facts and circumstances of the case, there is no previous case and also considering the fact that one of the co-accused was granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of their 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 on condition that

(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kumbakonam.

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police daily at 10.00 am until further orders. They have to co-operate for the investigation.



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(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
15/04/2024

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

LR

TO

- 1.THE JUDICIAL MAGISTRATE NO.II,
KUMBAKONAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
3. THE INSPEBCTOR OF POLICE,
KUMBAKONAM TALUK POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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WEB COPY +1 CC to M/s.S.GURUMOORTHY, Advocate (SR-4411[I] dated 15/04/2024)

ORDER
IN
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Date :15/04/2024

RK/VR(18/04/2024) 5P / 6C

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