



CRL OP(MD). No.5781 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5781 of 2024

Suriya @ Balusuriya,

... Petitioner/ Accused Rank Not known

Vs

The State represented by
The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi
Crime No. 72/2024.

... Respondent/Complainant

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for M/s. Muniyandi.S, Advocate

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 72 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.72 of 2024, for the offence punishable under Sections 294(b), 353, 332 and 224 IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that one High Court Maharaja who is in custody at Perurani District Prison, Thoothukudi, was brought by the defacto complainant for appearance before the learned Judicial Magistrate, Vilathikulam. While returning to the Jail, the petitioner and other accused thrown chilly powder on the defacto complainant and helped the said High Court Maharaja, who is the petitioner's husband, to escape from the custody. Hence the case.

3. The learned counsel appearing for the petitioner submits that the defacto complainant has not mentioned the petitioner's name in the complaint. She has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

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 in this case, the petitioner is the fifth accused. The petitioner along with other accused facilitated the first accused for absconding from the police custody. No previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the antecedents of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is 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 petitioner 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.III, Thoothukudi.

(ii) The petitioner 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 petitioner shall appear before the respondent police at 10.00 am for a period of one week. She has to co-operate for the investigation.



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(iv) The petitioner shall not misuse the liberty granted to her 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 petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
16/04/2024

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

LR

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THOOTHUKUDI NORTH POLICE STATION, THOOTHUKUDI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.S.MUNIYANDI, Advocate (SR-4480[I] dated 16/04/2024)

ORDER
IN

CRL OP(MD) No.5781 of 2024

Date :16/04/2024

PKP/JGB/SAR /22.04.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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