



CRL OP(MD). No.5728 of 2024

WEB COPY 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.5728 of 2024

M.Chellathurai

... Petitioner/ Accused

Vs.

The Inspector of Police,
Karungal Police Station,
Kanniyakumari District.
Crime No. 87 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.R.Arun Raja Seelan.
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 87 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b) and 353 IPC, in Crime No.87 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The allegation as against this petitioner is that he has not co-operated with the Election Flying Squad officials for the vehicle inspection of his Car bearing Registration No.TN 75 J 6666 conducted on 07.04.2024.

3.The learned counsel appearing for the petitioner submits that the petitioner and his family members have co-operated with the officials for checking his car. However, nothing has been recovered. In order to harass the petitioner, a false case has been foisted as against this petitioner.

4.The learned Additional Public Prosecutor submits that the petitioner has not co-operated with the Election flying squad officials for checking his car. He further submits that the petitioner has not involved in any other case.



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5.Considering the nature of allegation and considering that no previous case is pending as against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this criminal original petition is allowed and 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 Judicial Magistrate Court, Eraniel, Kanyakumari District on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned the Judicial Magistrate, Eraniel, Kanyakumari District and on further conditions that:

- i. 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;
- ii. The petitioner shall appear before the respondent police for a period of two weeks. He has to co-operate for the enquiry.



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iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

The petitioner shall be available for the trial as well.

iv. 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

/ TRUE COPY /

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

VRN

TO

1. THE JUDICIAL MAGISTRATE, ERANIEL, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI @ NAGERCOIL.

3. THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION,
KANNIYAKUMARI DISTRICT.



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

+1 CC to M/s.R.ARUN RAJA SEELAN, Advocate (SR-4442[I] dated 16/04/2024)

ORDER
IN
CRL OP(MD) No.5728 of 2024
Date :16/04/2024

RK/JGB (22/04/2024) 5P / 6C

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