



CRL OP(MD). No.5750 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.5750 of 2024

1.S.Kannan

2.Vignesh

... Petitioners/ Accused Rank Not Known

Vs

The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
Crime No. 80 of 2024.

... Respondent/Complainant

For Petitioners : Mr.G.Radhakrishnan,
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.80 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 147, 148 and 394 of IPC, in Crime



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No. 80 of 2024, dated 31.03.2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that one named and five unnamed persons have assaulted the defacto complainant and attempted for robbery.

3.The learned counsel appearing for the petitioners submits that the petitioners and the defacto complainant are well known to each other. Since the second petitioner is having previous cases, the respondent police has registered this case as against these petitioners under the presumption that these petitioners may have involved in the offence. The petitioners are very much available in the nearby Village and they are prepared to co-operate for the enquiry.

4.The learned Additional Public Prosecutor submits that the second petitioner is having five previous cases to his credit. No case is pending as against the first petitioner.

5.Considering the nature of allegations and considering that the second petitioner is having five previous cases to his credit, this Criminal Original Petition is dismissed insofar as the second petitioner is concerned. Considering that the first petitioner is not involved in any other case and he is very much available in the nearby Village and he is also prepared to co-operate for the enquiry, this Court is inclined to grant anticipatory bail to the first petitioner with certain conditions.



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6. Accordingly, this criminal original petition allowed insofar as the first petitioner is concerned and the first 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 No.III, Tuticorin 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 Judicial Magistrate No.III, Tuticorin and on further conditions that:

- i. The first 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 first petitioner shall appear before the respondent police daily at 10.30.a.m for a period of 30 days. He has to co-operate for the investigation.
- iii. The first petitioners shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The first petitioner shall be available for the trial as well.



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iv. On violation of any of the above conditions by the first petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

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

VRN

TO

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

ORDER

IN

CRL OP(MD) No.5750 of 2024

Date :16/04/2024

RS/JGB/SAR-(22.04.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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