



CRL OP(MD).No.5922 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Poolpandi

2. Muppidathi

3. Kombaiah

... Petitioners/ Accused No.1 to 3

Versus

The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
Crime No.113/2024

... Respondent/Complainant

For Petitioners : Mr.K.Suyambulinga Bharathi,
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.113 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.113 of 2024, for the offence under Sections (*)341, 294(B), 323, 506(ii) of IPC has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on 09.04.2024, at about 9.30 p.m., when the defacto complainant and others were standing near a over-bridge at Vallanadu, the petitioners came there in a four-wheeler and attempted to dash against the defacto complainant. When the same was questioned by the defacto complainant, the petitioners assaulted him with hands, abused him in filthy language and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they have been falsely implicated in this case. He further submits that it is a case in counter.

4. The learned Government Advocate (Crl. Side) opposes for grant of anticipatory bail on the ground that the first petitioner is having six previous cases and second petitioner is having four previous cases. Insofar as the third petitioner is concerned, he is not having any previous case.

5. Considering the nature of offence and also considering the antecedent of the petitioners 1 and 2, this Court is not inclined to grant anticipatory bail to the



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petitioners 1 and 2.

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6. Insofar as the 3rd petitioner is concerned, this Court, considering the fact that the third petitioner is not having any previous case, is inclined to grant anticipatory bail to the 3rd petitioner alone.

7. Accordingly, this Criminal Original Petition is partly allowed and the 3rd 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 learned Judicial Magistrate on condition that

(i) the 3rd petitioner executes 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.I, Srivaikundam.

(ii) The 3rd 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 3rd petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation. He has to co-operate for the investigation.

(iv) The 3rd petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.



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(v) On violation of any of the above conditions by the 3rd petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
29/04/2024

(*)Amended as per order of this
Hon'ble Court in CRL MP(MD).
5444/2024 in CRL OP(MD).5922/2024
dated 24/05/2024

Time is extended for executing the
sureties for a period of two weeks
from the date of receipt of a copy of
this order.

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
13/05/2024

1 THE JUDICIAL MAGISTRATE NO.I, SRIVAIKUNDAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE, MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.

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



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ORDER

IN

CRL OP(MD) No.5922 of 2024

Date :29/04/2024

RS/GS/SAR-(08.05.2024) 4P 5C

RS/VR/SAR-(05.06.2024) 5P 5C

Madurai Bench of Madras High Court is issuing
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