



CRL OP(MD).No.6198 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.6198 of 2024

Vasanth

... Petitioner / Accused Rank not known

Versus

The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.7 of 2024)

... Respondent / Complainant

For Petitioner : Mr.B.Anandan, 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.7 of 2024 on the file of the Respondent Police.

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.7 of 2024, for the offence under Section 307 IPC, has filed this petition seeking anticipatory bail.



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2. The case of the prosecution is that the defacto complainant is running a Pawn Shop, where, one Gunavathy was working for some time and thereafter, she was absent. When the defacto complainant verified the accounts of the pawn shop, he found that there was a shortage of Rs.2 crore in the cash transaction of the shop. Thereafter, on 18.12.2023, when the defacto complainant was proceeding on his way in his two-wheeler from Mudukkur towards Siramelkudi, a car bearing Reg.No.TN04 K 3488, dashed against the two-wheeler, due to which, he fell down and sustained injuries. Hence, this case.

3. The learned counsel appearing for the petitioner submits that it is a case and counter. The defacto complainant is running a Pawn Shop, where, the petitioner's relative, one Gunavathy, was working. At that time, the defacto complainant has misbehaved with the said Gunavathy. Therefore, a criminal case was lodged as against the defacto complainant in Crime No.6 of 2024 for the offence under Sections 147, 148, 294(b), 324, 354A, 355, 506(ii) and 379 IPC r/w. Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act, 1989. Thereafter, the present complaint has been lodged by the defacto complainant as if the petitioner along with other accused attempted to kill him by using a car. Admittedly, the defacto complainant in this case has not suffered any injury. However, this case has been registered in Crime No.7 of 2024 for the offence under



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Section 307 IPC. Hence, he prays for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) submits that the investigation is going on.

5. Considering the manner in which the present complaint in Crime No.7 of 2024 has been registered as against 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 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 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, Pattukkottai.

(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 as and when required for interrogation. He has to co-operate for the investigation.



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(iv) The petitioner shall not misuse the liberty granted to him 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.

7. This Court directs the Superintendent of Police, Thanjavur District, to look into this issue and the manner in which this case in Crime No.7 of 2024 has been registered. The Superintendent of Police shall entrust the investigation in both cases in Crime Nos.6 and 7 of 2024 to an honest officer for investigation. If anybody has misused the law by foisting the complaint, the Police Officer, who is responsible for foisting this case, has to be dealt with.

sd/-
23/04/2024

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/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

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1.The Judicial Magistrate,
Pattukkottai.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Madukkur Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Superintendent of Police,
Thanjavur District.

+1 CC to M/s.B.ANANDAN, Advocate (SR-4749[I] dated 23/04/2024)

ORDER
IN

CRL OP(MD) No.6198 of 2024

Date :23/04/2024

ED/ JGB /SAR- (30/04/2024) 5P / 7C

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