



CRL OP(MD).No.6145 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Kalaiselvam @ Kalaiselvan

2. Sushilkumar

... Petitioners/ Accused Nos. 1 & 2

Versus

State rep. by
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
(Crime No.201 of 2024)

... Respondent/Complainant

For Petitioners : Mr.Haroon Rasheed,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.201 of 2024 on the file of the Respondent
Police.

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.201 of 2024, for the offence punishable under Sections 294(b), 323, 355 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that one Amalraj approached the defacto complainant for obtaining loan. The defacto complainant introduced the first accused to him. The said Amalraj gave a cheque and some xerox copies of his document to the first accused. After obtaining the same, the first accused did not arrange for loan. Thereafter, the defacto complainant asked him to return the cheque and xerox copies of the document, for which, the petitioners have abused the defacto complainant in filthy language and also assaulted him and caused injury. Hence, the case.

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. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police raised objection that earlier this Court by order dated 22.04.2024, had granted



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interim anticipatory bail to the petitioners. However, the petitioners have not appeared before the respondent police for interrogation.

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

6. Accordingly, this Criminal Original Petition is ordered and the petitioners are 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 petitioners 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. I, Tirunelveli.

(ii) The petitioners 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 petitioners shall appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation.

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

sd/-
26/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY.



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

ORDER
IN
CRL OP(MD) No.6145 of 2024
Date :26/06/2024

PKP/JGB/SAR /10.07.2024/ 5P/5C
Madurai Bench of Madras High Court is issuing certified
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