



CRL OP(MD). No.6365 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Shanmugavel

... Petitioner/7th Accused

Vs

The Inspector of Police,
Senthamaram Police Station,
Tenkasi District.
Crime No. 15/2024.

... Respondent/Complainant

For Petitioner : M/s.G.Karuppasamy Pandiyan,
Advocate.
For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.15 of 2024 on the file of the respondent Police.

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 174 of Cr.P.C. @ 306 of IPC in Crime



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No.15 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that the defacto complainant's father had been hoisting a party's flag in front of his house for the past three years. Subsequently, local body officials threatened the defacto complainant's father to remove the flag and to hand over two feet of the land to the local body for laying road. That apart, the accused persons continuously threatened the defacto complainant's father and his family members, due to which, the father of the defacto complainant committed suicide. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is the Panchayat President. The deceased encroached the government land, thereby, the petitioner insisted the deceased to remove the same and the petitioner herein is not responsible for the suicide committed by the defacto complainant's father.

4.The learned Government Advocate (Crl.Side) strongly objected for grant of anticipatory bail on the ground that this is the third application for anticipatory bail, as per FIR, the petitioner and other accused continuously tortured the deceased, due to which, the deceased committed suicide and the investigation is yet to be completed.



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5. Considering the facts and circumstances of the case and also considering the fact that the investigation agency has not collected any materials as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

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 learned Judicial Magistrate, Tenkasi, 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-I, Madurai 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 daily at 10.30 a.m., for a period of two weeks and thereafter, and when required. He has to co-operate for the investigation.
- 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.



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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.

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

SJI

TO

1 THE JUDICIAL MAGISTRATE, TENKASI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, SENTHAMARAM POLICE STATION,
TENKASI DISTRICT.

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

COPY TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-4930[I] dated
25/04/2024)



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ORDER IN
CRL OP(MD) No.6365 of 2024
Date :25/04/2024

RS/JGB/SAR-(30.04.2024) 5P 8C
Madurai Bench of Madras High Court is issuing
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