



CRL OP(MD). No.6256 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.6256 of 2024

1. Shahith Akil
Wrongly Mentioned as Akkil

2. Ashimkhan ... Petitioners/ Accused No.3 & 4

Vs

The Inspector of Police,
Cumbum North Police Station,
Theni District.
Crime No.110/2024.

... Respondent/Complainant

For Petitioner : M/s. Samy.K.K, 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.110 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police in connection with Crime No.110 of 2024 for the offence under Sections 147, 148, 294(b),



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323, 324 and 506(ii) of IPC, have filed this petition seeking anticipatory bail.

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2.The case of the prosecution is that on 11.04.2024 at about 10.00 p.m., the petitioners abused the defacto complainant and his relatives in filthy language, assaulted them and threatened them with dire consequences. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) appearing for the respondent police opposes for grant of anticipatory bail on the ground that the investigation is yet to be completed. It is a case in counter and the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case, the nature of allegations and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of 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, Uthamapalayam, Theni, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each



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with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions that:

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(i) 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;

(ii) The petitioners shall appear before the respondent police daily at 10.30 am for a period of one week and thereafter as and when required for interrogation. They have to co-operate for the investigation.

(iii) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(iv) 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/-
23/04/2024

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/04/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI.

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

3 THE INSPECTOR OF POLICE, CUMBUM NORTH POLICE STATION,
THENI DISTRICT.

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



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

ORDER
IN
CRL OP(MD) No.6256 of 2024
Date :23/04/2024

RS/VR/SAR-(30.04.2024) 4P 5C
Madurai Bench of Madras High Court is issuing
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