



CRL OP(MD). No.6225 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

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1. Viji

2. Parthipan,

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Vadakadu Police Station,
Pudukottai District.
in Crime No.68/2024.

... Respondent/ Complainant

For Petitioner : M/s.Navinkumar M,
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.68/2024 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



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connection with Crime No.68 of 2024 for the offence under Sections 341, 294(b), 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 13.04.2024, when the defacto complainant was going to his uncle's house in bike, the petitioners parked their Honda I20 car in the middle of the road. When the defacto complainant requested the petitioners to park their car without disturbing the general public, the petitioners are said to have assaulted the defacto complainant. 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 has strongly objected for grant of anticipatory bail on the ground that the first petitioner has three previous cases to his credit and the investigation is yet to be completed. He fairly conceded that the second petitioner has no previous case.



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5.Considering the antecedents of the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this petition is dismissed as against the first petitioner.

6.Considering the facts and circumstances of the case and the antecedents of the second petitioner, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions.

7.Accordingly, this criminal original petition is partly allowed and the second 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, Alangudi, on condition that the second 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 Magistrate concerned and on further conditions that:

(i) The second 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;



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(ii) The second petitioner shall report before the respondent Police Station daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation. He has to co-operate for the investigation.

(iii) The second petitioner shall not misuse the liberty granted to him 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 second petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
23/04/2024

/ TRUE COPY /

/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,
ALANGUDI.

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

3 THE INSPECTOR OF POLICE
VADAKADU POLICE STATION, PUDUKOTTAI DISTRICT.



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

+1 CC to M/s.M.NAVIN KUMAR, Advocate (SR-4830[I] dated 24/04/2024)

ORDER
IN
CRL OP(MD) No.6225 of 2024
Date :23/04/2024

SS/GS/SAR- /30/04/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023