



CRL OP(MD). No.6382 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

CRL OP(MD). No.6382 of 2024

Paulthambi

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Sucheendram Police Station,
Kanyakumari District.
(Crime No.143/2024)..

... Respondent/Complainant

For Petitioner : Mr.L.George Paul Anto, 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.143/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent



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Police, in connection with a case in Crime No.143 of 2024, for the offence punishable under Sections 294(b), 353 and 506(i) IPC and Section 4 of TNPHW Act, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Police Constable. On the date of public election, i.e., 19.04.2024, the petitioner, who is a Village Assistant parked his vehicle near the election booth premises, which was objected by the defacto complainant. At that time, the petitioner hit the defacto complainant with his vehicle, thereby, he prevented her from discharging election duty. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that in this case, investigation is at the initial stage.

5. Considering the facts and circumstances of the case and also



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considering the occupation of 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 his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned Judicial Magistrate on condition that

(i) 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.III, Nagercoil, Kanyakumari District.

(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 Kottarikodu police station daily at 10.30 a.m., for a period of two weeks, and thereafter, the petitioner shall appear before the respondent Police as and when required for interrogation. The petitioner has to co-operate for the investigation.

(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.



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(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.

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/04/2024

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

PNM

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
SUCHEENDRAM POLICE STATION, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
KOTTRIKODU POLICE STATION
KANYAKUMARI DISTRICT

+1 CC to M/s.L.GEORGE PAUL ANTO, Advocate (SR-5064[I] dated 29/04/2024)



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ORDER
IN
CRL OP(MD) No.6382 of 2024
Date :25/04/2024

SS/JGB/SAR- /30/04/2024/5P/7C

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