



CRL OP(MD). No.6434 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6434 of 2024

M.Muthu @ Pannerselvam

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.
Crime No.145/2024.

... Respondent/ Complainant

For Petitioner : Mr.S.Atham Ali, 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.145/2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.145 of 2024, for the offence punishable under Sections 294(b), 324, and 506(ii) IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on 20.04.2024 at about 04.00a.m., there was a wordy quarrel between the petitioner and the defacto complainant about parking of petitioner's two wheeler in front of defacto complainant's house. At that time, the petitioner and other accused assaulted the defacto complainant with hands, abused him in filthy language and also threatened him with dire consequences. 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. It is a case and case in counter. The injured has been discharged from the hospital. 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 the co-accused is still in custody. However, he fairly submitted that it is a case and case in counter and the injured has been discharged from the hospital.



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5. Considering the facts and circumstances of the case, also considering the fact that it is a case and case in counter and the injured has been discharged from the hospital, 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 learned 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, Ambasamuthiram, Tirunelveli 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 respondent police on every Saturday at 10.30a.m., until further orders. The petitioner has to co-operate for the investigation.



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(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.

(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.

sd/-
26/04/2024

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/05/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. THE JUDICIAL MAGISTRATE,
AMBASAMUTHIRAM, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3.THE INSPECTOR OF POLICE,
KALLIDAIKURICHI POLICE STATION, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.S.ATHAM ALI, Advocate (SR-5114[I] dated 30/04/2024)

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ORDER

IN

CRL OP(MD) No.6434 of 2024

Date :26/04/2024

RK/JGB (03/05/2024) 5P / 6C

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