



CRL OP(MD).No.6540 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.6540 of 2024

1.M.Riyas Khan

2.H.Ibram Sahibu

... Petitioners/ Accused No.1 & 2

Versus

The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
(In Crime No.107 of 2024)

... Respondent/Complainant

For Petitioners : Mr.V.Muthukamatchi, 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.107 of 2024 on the file of the Respondent Police.



CRL OP(MD).No.6540 of 2024

ORDER: The Court made the following order :-

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The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.107 of 2024, for the offence punishable under Sections 294(b), 324 and 506(ii) of IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that a wordy quarrel arose between the petitioners and the defacto complainant on 19.04.2024 at 4.00 a.m., regarding assembling in the Mosque, at that time, the petitioners attacked the defacto complainant with hands, caused injury in forehead of the defacto complainant and also threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Due to ulterior motive, a false case has been foisted against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the first petitioner is having one previous case and the second petitioner is having four previous cases to their credit. Further, injured is discharged from the hospital. Hence, he made objection to grant anticipatory bail to the petitioners.



CRL OP(MD).No.6540 of 2024

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5. Considering the facts and circumstances of the case 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 ordered and the petitioners are ordered to be released on bail in the event of their 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, Peravoorani, Thanjavur District, on condition that

(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Peravoorani, Thanjavur District.

(ii) 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;

(iii) The petitioners shall appear before the respondent police as and when required for interrogation;

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



CRL OP(MD).No.6540 of 2024

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

JBR

To

1.The District Munsif cum Judicial Magistrate,
Peravoorani,
Thanjavur District.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Sethubavachatiram Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.MUTHUKAMATCHI, Advocate (SR-5138[I] dated 30/04/2024)



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CRL OP(MD).No.6540 of 2024

ORDER

IN

CRL OP(MD) No.6540 of 2024

Date :30/04/2024

ED/ GS /SAR- (06/05/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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