



CRL OP(MD). No.6844 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/05/2024

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

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T.Mukesh

... Petitioner/ Accused No.5

Vs

State represented by,
The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(In Crime No.56 of 2024)

... Respondent/Complainant

For Petitioner : M/s.V.Muthukamatchi,Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.56 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A5, who apprehends arrest at the hands of the respondent

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



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police for the offences punishable under Sections 147 and 148 of I.P.C and 25(1A) of Arms Act, 1959 in Crime No.56 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 20.02.2024 at about 05.00 p.m., the while the defacto complainant and other villagers were in the premises of the Temple, the petitioner along with other accused threatened them with deadly weapons regarding money transactions. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that A.1 and A.6 were already granted bail by the Sessions Court and A.2 was granted anticipatory bail by this Court and no one sustained injury in the said occurrence.

5.Taking into consideration the facts and circumstances of the case and also the facts that A.1 and A.6 were already granted bail by the Sessions Court and A.2 was granted anticipatory bail by this Court and no one sustained injury in the said occurrence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the 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, Orathanadu, Thanjavur District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme

Court in P.K. Shaji vs. State of Kerala [(2005) AIR SCW 5560].

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[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
16/05/2024
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/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PS

TO

- 1 THE JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
PAPPANADU POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.V.MUTHUKAMATCHI, Advocate (SR-5533[I] dated 16/05/2024)

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ORDER

IN

CRL OP(MD) No.6844 of 2024

Date :16/05/2024

PKP/VR/SAR /22.05.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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