



Crl.O.P.(MD) No.6940 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

Crl.O.P.(MD) No.6940 of 2024

1.Krishnan @ Krishnamoorthy

2.Subramaniyan

... Petitioners/ A1 & A3

Vs.

State represented by
The Sub Inspector of Police,
Srirangam Police Station,
Trichy City.
(Crime No.337 of 2024)

... Respondent/Complainant

For Petitioners : Mr.K.Vivek
Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.337 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused 1 and 3, who apprehend arrest at the hands of the



Crl.O.P.(MD) No.6940 of 2024

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respondent police for the offences punishable under Sections 147, 294(b), 323, 353 & 506(ii) of IPC, in Crime No.337 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 07.04.2024 at about 06.30 p.m., when the *de facto* complainant who is the Police Constable in Srirangam Crime Branch was on raid, the petitioners and other accused were consuming alcohol near Ponnurangam Aqueduct Bank and causing nuisance and traffic trouble to the public and also scolding the public with filthy language. When the *de facto* complainant Police Constable questioned the accused, the accused attacked him with hands and pushed him down and also threatened him with dire consequence. The *de facto* complainant was admitted in the hospital. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured has already been discharged from the hospital and there is no previous case against the petitioners.



Crl.O.P.(MD) No.6940 of 2024

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5. Taking into consideration of the facts and circumstances of the case and also the fact that the injured was treated as out patient and has already been discharged from the hospital and that there is no previous case against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the certain conditions.

6. Accordingly, this Criminal Original Petition is allowed 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 District Munsif cum Judicial Magistrate, Srirangam, Trichy District, on condition that the petitioners shall execute a Bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners 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 petitioners shall report before the respondent police daily at 10.00 a.m., for a period of 30 days and thereafter, as and when required for interrogation.



Crl.O.P.(MD) No.6940 of 2024

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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].

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

JEN



Crl.O.P.(MD) No.6940 of 2024

TO
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- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, SRIRANGAM, TRICHY DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3 THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6940 of 2024
Date :16/05/2024

SS/VR/SAR- /23/05/2024/5P/5C

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