



CRL OP(MD). No.7100 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/05/2024

PRESENT

The Hon`ble Mr.Justice **P. VADAMALAI**

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Sarveswaran

... Petitioner/ Accused No.1

Vs

State represented by,
The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
(Crime No.136 of 2024)

... Respondent

For Petitioner : Mr.B.Vetrivel, Advocate

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No.136 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(2) of IPC, in Crime No.136 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant was working in the petitioner's company and for the past three months, salary was not paid to him. Hence, he requested to pay the salary. However, the petitioner refused to pay the same. Subsequently, on 28.04.2024, the defacto complainant went to the petitioner's house and asked for his due salary. But the petitioner along with other accused abused him with filthy language and attacked him. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent 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 the injured has already been discharged from the hospital.



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5. Taking into consideration the facts and circumstances of the case and also the fact that the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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, Thottiyam, 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., for a period of 30 days and thereafter, as and when required for interrogation.

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



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[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]**.

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

sd/-
15/05/2024

/ TRUE COPY /

/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,
THOTTIYAM.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.

3 THE INSPECTOR OF POLICE
KATTUPUTHUR POLICE STATION TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.7100 of 2024

Date :15/05/2024

SS/VR/SAR- /21/05/2024/5P/5C

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