



CRL OP(MD). No.7095 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
CRL OP(MD). No.7095 of 2024

Murugaiyan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.252 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.R.Alagia Nambi, Advocate.
For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.252 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 355, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment Women Act in Crime No.252 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.04.2024, the child of the defacto complainant went to play in the premises of the petitioner. At the time, there was



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wordy quarrel arose between the parties and the petitioner slapped the defacto complainant with slipper and caused injuries. 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. He would further submit that the defacto complainant is none other than the sister of the petitioner's wife. The injured has sustained only simple injury. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured has sustained only simple injury.

5. Taking into consideration the facts and circumstances of the case and also the facts that the injured has sustained only simple injury, 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 Court, Orathanadu, 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



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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 15 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.

[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

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

dss

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TO

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1 THE JUDICIAL MAGISTRATE, ORATHANADU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.7095 of 2024

Date :15/05/2024

RS//SAR-(21.05.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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