



CRL OP(MD). No.7137 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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Sivagurunathan

... Petitioner/ Accused No.6

Vs

The State represented by,
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.274 of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran,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.274 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.6, who apprehends arrest at the hands of the

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respondent police for the offences punishable under Sections 147, 294(b), 336, 353, 427 and 506(ii) of IPC, in Crime No.274 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant along with other officers was overseeing protection at a Temple festival in Ayyampatti Village on 29.04.2024, the petitioner along with other accused came to the Temple in a Tata Ace vehicle. They halted their vehicle regarding public order, but the petitioner along with other accused attempted to assault the police officers and issued threats of serious consequences. 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 no previous case is pending against the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that no previous case is pending against the petitioner, 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



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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, 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 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].



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[f]If the accused thereafter absconds, a fresh FIR can be registered under Section

229-A IPC.

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.

PS

TO

- 1 THE JUDICIAL MAGISTRATE,
ORATHANADU.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
ORATHANADU 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.KARUNAKARAN.K.M, Advocate (SR-5417[I] dated 15/05/2024)

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ORDER

IN

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Date :15/05/2024

PKP/GS/SAR /20.05.2024/ 5P/ 6C

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