



CRL OP(MD). No.7180 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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1. Arun,

2. Jeevan @ Jeeva,

... Petitioners/ Accused Nos. 4 & 5

Vs

The Inspector of Police,
Veerapandi Police Station,
Theni District.
(Crime No.412 of 2023).

... Respondent/ Complainant

For Petitioner : M/s Srinivasaragavan.K, 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 Crime No.412 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A4 and A5, who apprehend arrest at the hands of the

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respondent police for the offences punishable under Sections 147, 341, 294(b), 324, 506 (ii) and 379 of IPC, in Crime No.412 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 13.11.2023 at 11.30 a.m., when the defacto complainant's sons were returning to Uppukottai in their TVS XL two wheeler, the petitioners and other accused persons attacked his sons, abused them in filthy language, robbed 11 sovereigns of gold jewels and Rs.10,000/- and also threatened them with dire consequences. 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.

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 that A1 to A3 were already arrested and released on bail by the trial Court.

5.Taking into consideration the facts and circumstances of the case and also the facts that the injured has already been discharged from the hospital and that A1 to A3 were already arrested and released on bail by the trial Court, this Court is inclined to



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grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of 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 Judicial Magistrate Court, Theni, Theni 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 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation.

[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 is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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

[f]If the accused thereafter abscond, 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.

SJI
TO

- 1 THE JUDICIAL MAGISTRATE,
THENI, THENI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.SRINIVASARAGAVAN.K, Advocate (SR-5424[I] dated 15/05/2024)

ORDER
IN
CRL OP(MD) No.7180 of 2024
Date :15/05/2024

PKP/VR/SAR /21.05.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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