



CRL OP(MD). No.7171 of 2024

WEB COPY

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.7171 of 2024

Maheshwaran

... Petitioner/2nd Accused

Vs

The State rep .by its
Inspector of Police,
Elanjambur Police Station,
Ramanathapuram District.
(Crime No.47 /2024)

... Respondent/Complainant

For Petitioner : Mr. M.S. Jeyakarthick
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.47/2024 on the file of the Respondent Police.



CRL OP(MD). No.7171 of 2024

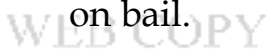
ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 324, 506(ii) and 307 IPC in Crime No.47 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the sons of the defacto complainant did work of laying water piper line by using the defacto complainant's JCB. The dispute arose between the contractor and Accused No.1, since Accused No.1 demanded money. Due to above motive, on 16.04.2024 at about 21.00 hours, the accused persons abused the defacto complainant by using filthy language and also attacked him by using deadly weapons. Hence, the case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner will never abscond and will not tamper the witnesses and also ready to abide by any condition imposed by this Court and hence, he seeks to grant bail to the petitioner.

4. The learned Government Advocate (Crl side) would submit that the injured discharged from the hospital and the co-accused were already arrested and released



on bail.

on bail.

on bail.

on bail.

on bail.

on bail.

on bail.



CRL OP(MD). No.7171 of 2024

(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 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]; and;

(f) if the accused/petitioner 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. .

TRP

TO

- 1 THE JUDICIAL MAGISTRATE,
MUDUKULATHUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



CRL OP(MD). No.7171 of 2024

- 3 THE INSPECTOR OF POLICE
ELANJAMBUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-5430[I] dated 15/05/2024)

ORDER
IN
CRL OP(MD) No.7171 of 2024
Date :15/05/2024

PKP/VR/SAR /22.05.2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified
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