



CRL OP(MD). No.7231 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. M.Sosephraja @ Jose,

2. C.Perinbam,

3. C.Rajkumar @ Kumar,

4. Jothimani @ Yesudas,

... Petitioners/ Accused 1 to 4

Vs

The Inspector of Police,
Elaiyerampannai Police Station,
Virudhunagar District
(Crime No. 50 of 2024).

... Respondent/Complainant

For Petitioners : M/s.RAJAPANDI.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. 50 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A4, who apprehend arrest at the hands of the respondent

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police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.50 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 12.05.2024, there was a wordy quarrel between the parties, due to which, the petitioners attacked the defacto complainant and abused him in filthy language. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposes for the grant of anticipatory bail on the ground that the petitioners 2 and 3 are having one previous case and further, the injured person has been treated as outpatient. However, he fairly conceded that no previous case is pending against the petitioners 1 and 4.

5.Taking into consideration the facts and circumstances of the case and also the fact that the injured has been treated as outpatient, this Court is inclined to 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



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of a copy of this order, before the learned Judicial Magistrate No.I, Satur, Virudhunagar 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. and 05.30 p.m., until further orders.

[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 are 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

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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 NO.I,
SATTUR, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
ELAIYERAMPANNAI POLICE STATION,
VIRUDHUNAGAR DISTRICT

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

+1 CC to M/s.RAJAPANDI.K., Advocate (SR-5407[I] dated 15/05/2024)



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ORDER
IN
CRL OP(MD) No.7231 of 2024
Date :15/05/2024

SA/GS/SAR. /20.05.2024/5P/6C

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