



CRL OP(MD).No.7234 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD).No.7234 of 2024

K.Chandram

... Petitioner/Sole Accused

Vs.

The State rep. by
The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.
(Crime No.134 of 2024)

... Respondent/Complainant

For Petitioner : Mr.N.Thamimul Ansari
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.134 of 2024 on the file of the
Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 447, 427, 294(b) & 506(i) of IPC, in Crime No.134 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to property dispute, the petitioner damaged the defacto complainant's CCTV camera and also put empty liquor bottles and garbage in her land. Further, the petitioner abused the defacto complainant by using filthy language and also threatened her with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he seeks to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner trespassed into the defacto complainant's land and damaged the property worth about Rs.20,000/-. Hence, he strongly opposed to grant anticipatory bail to the petitioner.



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5.Taking into consideration the facts and circumstances of the case, 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 No.VI, Madurai, 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 two weeks and thereafter, as and when required for interrogation.

[C] the petitioner shall make a non refundable deposit of Rs.5,000/-(Rupees

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Five Thousand only) to the credit of the Headmaster, Panchayat Union Middle School, LKB Nagar, Sakkimangalam, Madurai in The South Indian Bank Ltd., Sourashtra Colony, Meenatchi Nagar, Sakkimangalm, Madurai – 625 201 Account No.0733053000000794 IFSC No.SBIL0000733, without prejudice to his contentions and rights before the trial Court. This fund will be utilized for purchasing 30 sets of benches & desks for the Tribal students under 'Namakku Naame' scheme. On such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.

[f]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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[g]If the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
22/05/2024

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/05/2024

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

VSD

TO

1. THE JUDICIAL MAGISTRATE NO.VI, MADURAI,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3.THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION, MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE HEADMASTER,
PANCHAYAT UNION MIDDLE SCHOOL, LKB NAGAR,
SAKKIMANGALAM, MADURAI

ORDER
IN

CRL OP(MD) No.7234 of 2024
Date :22/05/2024

RK/GS (29/05/2024) 5P / 6C

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