



CRL OP(MD). No.7301 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
CRL OP(MD). No.7301 of 2024

Bharani @ Baranikumar

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Thathaiyangarpet Police Station,
Trichy District.
(Crime No.78 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.K.Prakash, Advocate.
For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No. No. 78 of 2024 on the file of the Respondent police.

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 and 506(i), in Crime No.78 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity on 04.05.2024, at about 06.15 p.m, when the defacto complainant was proceeding towards his home in his bike, the petitioner and A1 waylaid him and attacked him with wooden log and



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caused injuries. Hence, the complaint.

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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. He would further submit that the injured has sustained only simple injury and no previous case is pending against the petitioner. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured has sustained only simple injury and no previous case is pending against the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the facts that the the injured has sustained only simple injury and 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 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, Thuraiyur, Trichy District, 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:



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[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 30 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].

[f]If the accused thereafter absconds, 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.



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TO

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1 THE JUDICIAL MAGISTRATE, THURAIYUR, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, THATHAIYANGARPET POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.PRAKASH K, Advocate (SR-5476[I] dated 16/05/2024)

ORDER
IN

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Date :15/05/2024

RS/VR/SAR-(21.05.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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