



CRL OP(MD). No.7352 of 2024

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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.7352 of 2024

Mayil @ Mayilazhagan

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(Crime No.121/2024)

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran
For Respondent : Mr.M.Sakthikumar
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.121 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-



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The petitioner/accused rank not known, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 341, 324 and 506(ii) of IPC @ 341, 324, 147, 148, 294(b) and 307 of IPC in Crime No.121 of 2024 on the file of the respondent police seek bail.

2. The case of the prosecution is that due to previous enmity, on 21.04.2024, the petitioner and other accused attacked the defacto complainant's husband with deadly weapons. Hence, the case came to be registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and is no way connected with the alleged offences and a false case has been foisted against him. He would further submit that co-accused were released on bail by this Court on 16.05.2024. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl.Side) appearing for the State would submit that due to the attack made by the petitioner and other accused persons, the defacto complainant's husband sustained grievous injury. He would further submit that the petitioner is having 4 previous cases at his credit. However, he fairly conceded that the injured has been discharged from the hospital and co-accused were released on bail by this Court. Hence, he has no objection to allow this petition.

5. Considering the facts and circumstances of the case and also considering the



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fact that the injured has been discharged from the hospital and co-accused were released on bail by this Court, 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, Orathanadu 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 stay at Virudhunagar District for a period of 15 days from the date of receipt of copy of this order.

[c] the petitioner shall report before the Virudhunagar Town Police Station daily at 10.30 a.m., for a period of 15 days and thereafter, he shall report before the respondent police as and when required for interrogation.

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



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

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[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].

[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 (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

1 THE JUDICIAL MAGISTRATE, ORATHANADU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, PAPPANADU POLICE STATION,
THANJAVUR DISTRICT.

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



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THE INSPECTOR OF POLICE

VIRUDHUNAGAR TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-5574[I] dated 22/05/2024)

ORDER

IN

CRL OP(MD) No.7352 of 2024

Date :22/05/2024

RS/VR/SAR-(23.05.2024) 5P 7C

Madurai Bench of Madras High Court is issuing
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