



CRL OP(MD)No.7697 of 2024

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

Date : 24.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY
CRL OP(MD)No.7697 of 2024

1.Mariyappan @ Mariappan
2.Arumugam

... Petitioners / Accused No.6 & 8

Vs

State Rep. by
The Inspector of Police,
Courtallam Police Station,
Tenkasi District.
(In Crime No.432/2023)

... Respondent / Complainant

For Petitioners : Mr.M.Raja Ravi Varma, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.432 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 147, 148, 294(b), 323, 324 & 506(ii) of IPC in Crime No.432 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 29.03.2024, when the defacto



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complainant's uncle namely Mariappan went near the water tank, the accused persons attacked the defacto complainant 's uncle by using wood. Due to which, he sustained simple injury and caused serious life threat against the defacto complainant and his family members. 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 would submit that investigation is pending.

5.Taking into consideration the facts and circumstances of the case, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Shenkottai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two common 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



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Aadhaar card or bank pass book to ensure their identity.

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[b]the petitioners 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 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 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/-
24/05/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMI



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To

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1.The Judicial Magistrate,
Shenkottai.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Courtallam Police Station,
Tenkasi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.RAJA RAVI VARMA, Advocate (SR-5807[I] dated 24/05/2024)

ORDER

IN

CRL OP(MD) No.7697 of 2024

Date :24/05/2024

ED/ VR /SAR- (28/05/2024) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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