



CRL OP(MD)No.7514 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.7514 of 2024

Kaliraj

... Petitioner / Accused 5

Vs

State rep. by
The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
(Crime No.190 of 2023)

... Respondent/Complainant

For Petitioner : Mr.S.S.SUNDARAPANDIAN, 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.190 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324 & 506(2) of IPC in Crime



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No.190 of 2023 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that on 06.10.2023 at about 3.15 pm, the accused persons assaulted the defacto complainant with hands and used filthy language and caused severed injuries to the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that there are totally six accused in this case. The fourth accused was already arrested and released on bail. He further submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there is no previous case pending against the petitioner.

5.Taking into consideration the facts and circumstances of the case and also the fact that there is no previous case 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 Court No.II, Virudhunagar 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



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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 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].



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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/-
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.

RMI
TO

1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.

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

3 THE INSPECTOR OF POLICE,
AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.S.SUNDARA PANDIAN, Advocate (SR-5649[I] dated 23/05/2024)

<https://www.mhc.tn.gov.in/judis>



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ORDER
IN
CRL OP(MD) No.7514 of 2024
Date :22/05/2024

SA/VR/SAR. /24.05.2024/5P/C

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