



CRL OP(MD)No.7612 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.7612 of 2024

Arumugam

... Petitioner/Sole Accused

Vs

State rep. By
The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
In Crime No.151 of 2024

... Respondent/Complainant

For Petitioner : Mr.A.Balaji, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.151 of 2024 on the file of the Respondent police.



CRL OP(MD)No.7612 of 2024

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 294(b), 307 and 506(ii) of IPC in Crime No.151 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and others were trying to transport the river sand. Hence, the complaint.

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. However, to show his bonafide, he is ready to provide necessary facilities to the Panchayat Union Middle School, LKB Nagar, Sakkimangalam, Madurai, to the tune of Rs.50,000/- (Rupees Fifty Thousand only).

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the alleged vehicle has been seized by the respondent police.



CRL OP(MD)No.7612 of 2024

WEB COPY

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.III, Tirunelveli, Tirunelveli 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:

[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 make a non refundable deposit of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the M/s.Panchayat Union Middle School, LKB Nagar, Sakkimangalam, Madurai in South Indian Bank Limited, Sakkimangalam Branch, Account No.0733053000000794 IFSC No.SIBL0000733, MICR Code:

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



CRL OP(MD)No.7612 of 2024

625059008, without prejudice to his contentions and rights before the trial Court, for purchasing 30 sets of Bench and Desk for the Tribal students under "Namakku Naame" Scheme and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner;

[c]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.

[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].



CRL OP(MD)No.7612 of 2024

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

sd/-
23/05/2024

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/05/2024

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

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TO

1. THE JUDICIAL MAGISTRATE NO.III,
TIRUNELVELI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3. THE INSPECTOR OF POLICE,
SEEVALAPERI POLICE STATION, TIRUNELVELI DISTRICT.

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

COPY TO
THE HEADMASTER,
PANCHAYAT UNION MIDDLE SCHOOL,
LKB NAGAR, SAKKIMANGALAM, MADURAI.

+1 CC to M/s.A.BALAJI, Advocate (SR-5836[I] dated 24/05/2024)

ORDER
IN

CRL OP(MD) No.7612 of 2024

Date :23/05/2024

RK/JGB (29/05/2024) 5P / 7C

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