



CRL OP(MD)No.7789 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.7789 of 2024

Manthaiyan

... Petitioner / Accused No.1

Vs

The Inspector of Police,
Mattuthavani Police Station,
Mattuthavani,
Madurai City,
Madurai District.
Crime No.295 of 2024

... Respondent/Respondent

For Petitioner : Mr.Niranjana S.Kumar, Advocate
for Mr.T.Ramamoorthi, 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.295 of 2024 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 294(b), 323, 324, 506(ii) of IPC and Section 4 of TNPWH Act in Crime No.295 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that On 10.04.2024 at about 09.30 am, the frontline workers while doing their work in drainage, have removed the blockage and dumped the same in front of the defacto complainant. The accused person removed the same and dumped the same in front of the defacto complainant. When the same was questioned by the defacto complainant, there was a wordy quarrel between them and also scolded them in filthy language. Thereafter, the first accused attacked the defacto complainant's husband with iron rod and sustained head injury, thereby admitted in the private hospital. 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.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that injured has already been discharged from the hospital.

5.Taking into consideration the facts and circumstances of the case and also the fact that the injured has already been discharged from the hospital, 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



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of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai 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 is directed to appear before the Judicial Magistrate No.VI, Madurai, daily at 10.30 a.m., for a period of two weeks 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].



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[f]If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229-A IPC.

sd/-

24/05/2024

(*)(Modified as per order of this Hon'ble Court
in CRL MP(MD).5798/2024 in CRL OP(MD).
7789/2024 dated 11/06/2024)

/ TRUE COPY /

/06/2024

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

RMI
TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
31/05/2024

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE,
MATTUTHAVANI POLICE STATION,
MATTUTHAVANI,
MADURAI CITY.

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



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+1 CC TO MR.NIRANJAN S.KUMAR, ADVOCATE, SR-26800[F] DATED
11/06/2024

ORDER
IN

CRL OP(MD) No.7789 of 2024

Date :24/05/2024

SS/GS/SAR- /29/05/2024/5P/6C
RS/JGB/SAR- /14/06/2024/5P/6C

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