



CRL OP(MD). No.7873 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/05/2024

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

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1. Balajidoss,

2. Nanthu @ Nanthakumar,

... Petitioners/ Accused 1 & 2

Vs

The Inspector of Police,
Papanasam Police Station,
Thanjavur District
Crime No.303/2024.

... Respondent/Complainant

For Petitioners :Mr. K. Prabhu,
Advocate.

For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.303 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324,307 and

506(ii) of IPC, in Crime No.303 of 2024, on the file of the respondent police, seek

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anticipatory bail.

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2. The case of the prosecution is that on 03.04.2024 at about 02.15 hrs the defacto complainant along with his friends and these petitioners consumed liquor, at that time there was some wordy quarrel in which these petitioners said to have abused the defacto complainant in filthy language, assaulted him and also threatened with dire consequences, hence the case.

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, hence he seek anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that while the defacto complainant along with his friends and these petitioners consuming liquor, there was some wordy quarrel in which these petitioners said to have abused the defacto complainant in filthy language, assaulted him and also threatened with dire consequences. Hence, he objected to grant anticipatory bail to the petitioners. However he fairly concedes that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four 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 petitioners are released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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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 229-A IPC.

sd/-
29/05/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PAPANASAM, THANJAVUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
PAPANASAM POLICE STATION,
THANJAVUR DISTRICT

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

+1 CC to M/s.K.PRABHU, Advocate (SR-5927[I] dated 29/05/2024)
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ORDER
IN
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Date :29/05/2024

SA/VR/SAR. /04.06.2024/5P/6C

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