



CRL OP(MD). No.7829 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

CRL OP(MD). No.7829 of 2024

Venkatesan,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Karimedu Police Station,
Madurai City,
Madurai
Crime No.266 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.R.Velmurugan,
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.266 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police



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for the offences punishable under Sections 341,294(b),323,324 and 506(ii) of IPC, in

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Crime No.266 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to some dispute during the temple festival the petitioner herein along with other accused waylaid the defacto complainant, abused him and assaulted him with deadly weapons and caused injuries, hence the case.

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, hence he seeks anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner herein along with other accused waylaid the defacto complainant, abused him and assaulted him with deadly weapons and caused injuries. Hence, he objected to grant anticipatory bail to the petitioner. However he fairly concedes that the injured has been discharged from the hospital.



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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 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.V, Madurai 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 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 petitioner shall not tamper with the evidence or witness either during investigation or trial.



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[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]**.

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

sd/-
29/05/2024

/ TRUE COPY /

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

AAV

TO

1 THE JUDICIAL MAGISTRATE NO.V
MADURAI.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION, MADURAI CITY,
MADURAI

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

+1 CC to M/s.R.VELMURUGAN, Advocate (SR-5892[I] dated 29/05/2024)

ORDER
IN

CRL OP(MD) No.7829 of 2024

Date :29/05/2024

SS/GS/SAR- /03/06/2024/5P/6C

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