



CRL OP(MD). No.7859 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.7859 of 2024

Balasubramanian

... Petitioner/ Accused Rank Not Known

Vs

State Represented by
The Inspector of Police,
Vadakadu Police Station,
Pudukottai District,
Crime No.Not Known/2024).

... Respondent/ Complainant

For Petitioner : Mr.C.Gunasekaran,Advocate

For Respondent : Mrs.M.Aasha,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. Not known of 2024 on the file of the respondent police.



CRL OP(MD). No.7859 of 2024

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(1) of IPC, in Crime No. Not Known of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 15.05.2024 at 4.30 p.m., when the petitioner asked to pay a sum of Rs.10,000/- which was borrowed by one Murugesan, who is the brother of defacto-complainant, there was a wordy quarrel between them. 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 no FIR has been registered by the respondent police till now.

5.Taking into consideration the facts and circumstances of the case and also the facts that no FIR has been registered by the respondent police, 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



CRL OP(MD). No.7859 of 2024

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, Pudukottai, 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, 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].



CRL OP(MD). No.7859 of 2024

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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.

APD/MRN

TO

- 1 THE JUDICIAL MAGISTRATE,
PUDUKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VADAKADU POLICE STATION,
PUDUKOTTAI DISTRICT,



CRL OP(MD). No.7859 of 2024

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

ORDER
IN
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Date :29/05/2024

PKP/GS/SAR /03.06.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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