



Crl.O.P.(MD) No.7965 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.05.2024

PRESENT

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

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Lokesh

... Petitioner/ Accused Rank Not known

Vs.

State represented by
The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
(Crime No.234 of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.234 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused rank not known, who apprehends arrest at the hands of



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the respondent police for the offences punishable under Sections 294(b), 341, 324, 506(ii) & 379 of I.P.C., in Crime No.234 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to the previous enmity between the de facto complainant's family and A3 in respect of love marriage between A3 and the daughter of the de facto complainant's brother Ganesan, on 11.05.2024, at about 23.00 hours, when the de facto complainant and his sister's son Ashok Kumar were standing near Uma Pharmacy, Pandhanallur, the accused came there and kicked the de facto complainant in the leg. At the same time, the public pacified them. Thereafter, when the de facto complainant was going to his house by riding his two wheeler along with the said Ashok Kumar, the accused chased and intercepted them, attacked with sickle and took money and cellphone of the de facto complainant. Thereafter, the de facto complainant was admitted in the hospital with the help of his relatives. 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 and that a false case has been foisted against the petitioner. He would



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further submit that the de facto complainant was discharged from the hospital.

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Hence, he would seek anticipatory bail to the petitioner.

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

5. Taking into consideration of 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 subject to the certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of his 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, Thiruvidaimaruthur, Thanjavur 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:



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[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 30 days 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A of IPC.

sd/-
30/05/2024

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/06/2024

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

JEN

TO

1.THE JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
PANDHANALLUR POLICE STATION, THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-6018[I] dated 30/05/2024)

ORDER
IN

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Date :30/05/2024

RK/JGB (03/06/2024) 5P / 6C

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