



CRL OP(MD). No.7990 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/05/2024

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

CRL OP(MD). No.7990 of 2024

1. Vishal @ Suba Balarajan Nethirajan
2. K.Mohandoss
3. M.Subash

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
Kadupatty Police Station,
Madurai District.
(Cr.No. 62 of 2024).

... Respondent/Complainant

For Petitioner : Mr.M.Baskaran, Advocate.

For Respondent : Mr.A.Albert James, Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.62 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 324 of IPC in Crime No.62 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that during the temple festival, the petitioners attacked the defacto complainant with deadly weapons. Hence, a case has been



CRL OP(MD). No.7990 of 2024

registered.

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3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them. Hence he seeks anticipatory bail.

4.The learned Government Advocate (Crl. side) strongly opposed for grant of anticipatory bail on the ground that the petitioners attacked the defacto complainant and caused injuries to him. However, she fairly submitted that the injured has 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 been discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions:

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 on which the order copy made ready, before the learned Judicial Magistrate, Vaadipatty, Madurai District, on condition that the petitioners 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



CRL OP(MD). No.7990 of 2024

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(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 Aadhar 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 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 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]; and;

(f) if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
30/05/2024

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/06/2024

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



CRL OP(MD). No.7990 of 2024

TO

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1 THE JUDICIAL MAGISTRATE, VADIPATTY, MADURAI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, KADUPATTY POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.P.MUTHUVEL, Advocate (SR-6042[I] dated 31/05/2024)

ORDER
IN

CRL OP(MD) No.7990 of 2024

Date :30/05/2024

RS/VR/SAR-(04.06.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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