



CRL OP(MD). No.8565 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.8565 of 2024

Sivan @ Sivakumar

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Pazhavoor Police Station,
Tirunelveli District.
(Crime No.89/2024.)

... Respondent/Complainant

For Petitioner : M/s.Dhayalan.S, Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime no.89 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 342, 323, 324 and 506(ii) of IPC in Crime No.89 of 2024 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.8565 of 2024

WEB COPY

2.The case of the prosecution is that the defacto complainant and the petitioner belong to different political parties. During election campaign, there was a dispute between the defacto complainant and the petitioner, due to which, the petitioner and other accused have assaulted the defacto complainant. Thereby, the defacto complainant has sustained serious injuries. Hence, the case.

3.The learned counsel appearing for the petitioner submits that it is a case in counter and the petitioner has not indulged in any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) for the respondent strongly opposes for the grant of anticipatory bail on the ground that the investigation is yet to be completed. However, he fairly conceded that the injured has been discharged from the hospital.

5.Considering the nature of allegations and the injuries has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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 Court, Valliyoor, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two



CRL OP(MD). No.8565 of 2024

sureties each for a like sum to the satisfaction of the learned Magistrate concerned

WEB COPY

and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders.
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
12/06/2024

/ TRUE COPY /

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



CRL OP(MD). No.8565 of 2024

WEB COPY

To

1.The Judicial Magistrate,
Valliyoor.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.8565 of 2024

Date :12/06/2024

ED/ JGB /SAR- (20/06/2024) 4P / 5C

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