



CRL OP(MD).No.8678 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Subash
2. Prabhakaran
3. Vijay @ Viji
4. Gowtham Stalin @ Kulanthai ... Petitioners/ Accused Nos. 5,8,9 & 10

Versus

The State Rep. by
The Inspector of Police,
Kadupatty Police Station,
Madurai District.
(Crime No. 63/2024)

... Respondent/Complainant

For Petitioners: Mr.M.Thiyagarajan,Advocate

For Respondent : Mr.M.Sakthi Kumar

Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.63 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.63 of 2024, for the offence under Sections 147, 148, 341, 342, 427, 294(b), 323, 324, 307, 379, 355 and 506(ii) IPC r/w. Section 4 of TNPHW Act, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on 21.05.2024, when the defacto complainant was returning home after supplying milk, due to previous enmity, the accused persons abused him in filthy language, assaulted him and caused injuries.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) opposes for grant of bail on the ground that apart from this case, the first petitioner has involved in three cases, 3rd petitioner in two cases and 4th petitioner in four cases.

5. Considering the nature of offence and also considering the antecedent of the



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petitioners 1, 3 and 4, this Court is not inclined to grant anticipatory bail to the petitioners 1, 3 and 4.

6. Insofar the second petitioner is concerned, since he is not having any previous case, this Court is inclined to grant anticipatory bail to the second petitioner.

7. Accordingly, the 2nd 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 on condition that

(i) the petitioner executes a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Vadipatti, Madurai District.

(ii) 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;

(iii) The petitioner shall appear before the respondent Police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.



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(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

8. In the result, this Criminal Original Petition is partly allowed.

sd/-
13/06/2024

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

OGY/DSK

TO

- 1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KADUPATTY POLICE STATION, MADURAI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.8678 of 2024
Date :13/06/2024

PKP/JGB/SAR /26.06.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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