



CRL OP(MD).No.8836 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.8836 of 2024

Subbiah

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.
(Cr.No.221 of 2024)

... Respondent/Complainant

For Petitioner : Mr.Augustine Ebenzer. T,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.221 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in



CRL OP(MD).No.8836 of 2024

connection with a case in Crime No.221 of 2024, for the offence punishable under Sections 294(b), 323, 341, 353, 506(2) IPC and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that when the defacto complainant was in search of an accused, the petitioner and other accused abused him in filthy language, attacked and threatened him. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner was assaulted by the police. However, a case has been foisted against the petitioner as if the petitioner has assaulted the police. He has also produced the out-patient receipt issued by the Government Hospital, Nanguneri. Further, he submitted that the petitioner has 11 previous cases and some of the cases were ended in acquittal and some of the cases were ended by paying the fine amount. The petitioner has not involved in any offences for the past two years.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the injured has been treated as out patient. The petitioner has 11 previous cases and the same were closed.

5. Considering the fact that the petitioner has also sustained injury, considering the fact that the injured has been treated as out patient and also considering the fact



CRL OP(MD).No.8836 of 2024

that the previous cases against the petitioner were closed, this Court is inclined to grant anticipatory bail to the petitioner with cost of Rs.30,000/-. The petitioner is directed to pay the said amount to the office of the Chief Educational Officer, Tirunelveli. The said amount has to be utilized by the Chief Educational Officer, Tirunelveli, for the purpose of installing a Smart Class Room in any one of the remote Schools within Tirunelveli District.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, on condition that

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

(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 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.



CRL OP(MD).No.8836 of 2024

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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.

sd/-
18/06/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

- 1 THE JUDICIAL MAGISTRATE,
NANGUNERI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KALAKKAD POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO
THE CHIEF EDUCATIONAL OFFICER,
TIRUNELVELI.



CRL OP(MD).No.8836 of 2024

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-6652[I] dated 19/06/2024)

ORDER
IN

CRL OP(MD) No.8836 of 2024

Date :18/06/2024

PKP/VR/SAR /01.07.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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