



CRL OP(MD).No.8809 of 2024

WEB COPY

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.8809 of 2024

Arivazhagan

... Petitioner/Sole Accused

Versus

State rep. by
The Inspector of Police,
Batalgundu Police Station,
Dindigul District.
(Crime No.237 of 2024)

... Respondent/Complainant

For Petitioner : Mr.A.Karthik Kumar,Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.237 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 connection with a case in Crime No.237 of 2024, for the offence punishable under



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Sections 294(b), 324 and 506(ii) IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner abused the defacto complainant in filthy language and also assaulted him by throwing stones at him. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the injured has been discharged from the hospital and there is no previous case pending against the petitioner. Further, he submitted that Investigation Officer has wrongly mentioned in the earlier petition as if the petitioner is having three previous cases. Considering the antecedent of the petitioner, the earlier application was dismissed. Since there are two persons in the name of Arivazhagan and their fathers' name was also similar, the respondent police has wrongly mentioned the antecedent of the petitioner.

5. Considering the facts and circumstances of the case, the antecedent of the petitioner and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is



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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, Nilakottai, on condition that

(i) the petitioner execute 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, Nilakottai.

(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 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.

(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.



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JBR
TO

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

+1 CC to M/s.K.DINESH, Advocate (SR-6713[I] dated 20/06/2024)

ORDER
IN

CRL OP(MD) No.8809 of 2024

Date :18/06/2024

PKP/VR/SAR /03.07.2024/ 4P/6C

Madurai Bench of Madras High Court is issuing certified
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