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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9241 of 2024

1. Kannan,
S/o.Kanagaraj

2. Kannan,
S/o.Jeya, ... Petitioners 1 & 2/Accused 2 & 3

Vs

The Inspector of Police,
Sankarankovil Taluk Police Station,
Tenkasi District.
Cr.No.124/2024. ... Respondent/Defacto Complainant

For Petitioners : Mr.V .Muthuvelan,
Advocate.

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

PRAYER :- For Anticipatory Bail in Crime No.124 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 the case in Crime No.124 of 2024 for the offence under Section 294(b), 353 and 506 (ii) I.P.C., have filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that when the defacto complainant, who is working as Special Sub Inspector of Police, and other police officials were on vehicle check-up, the petitioners in a drunken mood abused the defacto complainant by using filthy language and also threatened with dire consequences..

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.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that there are three accused and the petitioners are arrayed as A2 and A3. A1 in this case was arrested and released on bail and the investigation is yet to be completed.

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5. Considering the facts and circumstances of the case, nature of offence and since the first accused was already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and 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 of receipt of a copy of this order, before the concerned learned Judicial Magistrate, on condition that:

(i) the petitioners 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 Judicial Magistrate, Sankarankovil, Tenkasi District;

(ii) The petitioners 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 petitioners shall appear before the respondent police daily twice ie. at 10.30 am., and 05.30 pm., until further orders. They have to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution

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witnesses.

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

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24/06/2024

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

LS

TO

1.THE JUDICIAL MAGISTRATE,
SANKARANKOVIL,
TENKASI DISTRICT;

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3. THE INSPECTOR OF POLICE,
SANKARANKOVIL TALUK POLICE STATION,
TENKASI DISTRICT.

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

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ORDER
IN
CRL OP(MD) No.9241 of 2024
Date :24/06/2024

RK/VR (05/07/2024) 5P / 5C
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