



CRL OP(MD). No.9308 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/06/2024

PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

CRL OP(MD). No.9308 of 2024

Muthu Azhagu @ Therukooty @ Alagu,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Keela Paralachi Police Station,
Virudhunagar District.
Crime No.35/2024.

... Respondent/Complainant

For Petitioner : Mr.S. Sivaprakash, 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.35/2024 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



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connection with a case in Crime No.35 of 2024, for the offence punishable under Sections 448, 294(b), 324 and 506(ii) IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioner has attacked the defacto complainant using iron rod, caused injury and threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner submits that after receiving advance amount for purchasing a property, the daughter of the defacto complainant has entered into an agreement with the petitioner. Instead of executing the document in favour of the petitioner, she has executed a document in favour of her father/defacto complainant. He further 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 advance amount was returned to the petitioner. However, he attacked the defacto complainant and caused blood injury. He further submits that no previous case is pending against the petitioner.



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5. Considering the facts and circumstances of the case and also considering the antecedent of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is 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 concerned learned Judicial Magistrate on condition that

(i) the petitioner shall 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, Aruppukottai, Viruthunagar 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 as and when required for interrogation. He has to co-operate for the investigation.



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(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/-
26/06/2024

/ TRUE COPY /

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

LR

TO

- 1 THE JUDICIAL MAGISTRATE
ARUPPUKOTTAI, VIRUTHUNAGAR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
KEELA PARALACHI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.S.SIVAPRAKASH, Advocate (SR-7054[I] dated 27/06/2024)

ORDER
IN
CRL OP(MD) No.9308 of 2024
Date :26/06/2024

SS/GS/SAR- /03/07/2024/5P/6C

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